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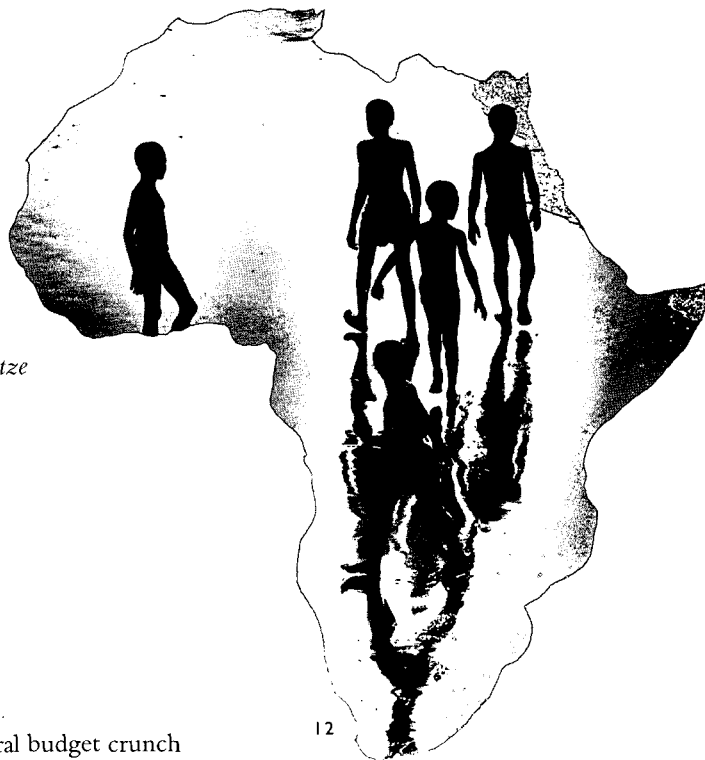
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A Nuclear-Free World: Is It Plausible?



■ Whether one finds Michael McCGwire's goal of a nuclear-free world overly ambitious or politically plausible, numerous assumptions in his article ("Eliminate or Marginalize?" spring issue) spotlighted the historic opportunity the world has now to capitalize on recent positive changes in the international system and reduce the risks that nuclear weapons pose to the United States and all other nations. The collapse of the Soviet Union swept away the bipolar animosity of the Cold War and opened the door to more cooperative relationships among the great powers in many areas, including arms control and disarmament. To build and strengthen this emerging cooperative security environment, the international community should examine seriously the question of whether nuclear weapons can safely and securely be eliminated.

First, it may well be true that "today's rather reassuring low-salience nuclear world" will "inevitably" lead to a high-salience world if Washington does not push for a world with no nuclear weapons. But it is unclear why this should be so. It seems possible, perhaps even likely, that the nuclear weapons states will gradually reduce their nuclear arsenals still further during the next few decades, although stopping well short of zero. Certainly, this appears today a far more likely prospect than a return to the enormous Cold War nuclear arsenals that McCGwire so rightly fears.

Second, the assertion that "we will certainly face a world of many nuclear states" if the West does not change its

nuclear policies ignores a variety of domestic, regional, and international disincentives to proliferation, as well as a host of other incentives that fuel nuclear ambitions, including bureaucratic rivalries, domestic impulses, and regional dynamics. Without denying a link of some kind between the nuclear policies of the nuclear weapon states and the "Nth country" problem, McCGwire nonetheless relies heavily—far too heavily, in my mind—on the influence that the nuclear force postures of the nuclear weapons states exert on would-be proliferators.

Mitchell Reiss, Woodrow Wilson International Center

Ready for the Leap of Faith?

■ Michael McCGwire ("Eliminate or Marginalize?" spring issue) makes a strong case for the advantages to this country and the other nuclear weapon states of completely eliminating nuclear weapons, but his article leaves me agnostic as to the feasibility of this course during the 20- to 30-year period McCGwire foresees.

Short of a nuclear catastrophe, it is highly improbable that the governments of the nuclear weapon states, especially the United States, which would have to take the lead in this enterprise, will be willing in the next two decades to take the leap of faith in the future that is required for a firm commitment to elimination. The main reason for this caution is the belief, which McCGwire himself seems to share, at least in part, that war, especially clashes among the major powers, are endemic and ineradicable.

Instead of asking these states to commit themselves now to completely eliminating their weapons, we should seek to persuade them to reduce their nuclear arsenals to a low equal level (perhaps 200 warheads each), folding the threshold nuclear states into this regime. Weapons and fissile material in these residual nuclear forces would be separated from delivery systems and stored on the territory of the owner state with protection against attack by concealed weapons. This approach makes residual arsenals unusable for surprise attack but does not require nuclear weapon states to wholly relinquish what to them is their nuclear lifeline. A precondition would be vigorous improvement of the nonproliferation regime, as well as an increasingly effective worldwide peacekeeping system composed of the United Nations and a network of regional security organizations.

If this system of a largely denuclearized world works for a generation, then it will be time to urge eliminating all nuclear weapons. We need to articulate and support this final stage of nuclear arms control with just as much vigor as we argue the case for elimination.

Jonathan Dean, Union of Concerned Scientists

The Door Is Open

■ Michael McCGwire's recent article ("Eliminate or Marginalize?" spring issue) spotlighted the historic opportunity the world has now to capitalize on recent positive changes in the international system and reduce the risks that nuclear weapons pose to the United States and all other nations. The collapse of the Soviet Union swept away the bipolar animosity of the Cold War and opened the door to more cooperative relationships among the great powers in many areas, including arms control and disarmament. To build and strengthen this emerging cooperative security environment, the international community should examine seriously the question of whether nuclear weapons can safely and securely be eliminated.

McCGwire argues correctly that the current situation, in which nuclear weapons are relatively unimportant in world affairs, could devolve into a dangerous new era of proliferation and regional arms races unless the international community moves quickly to embrace the goal of a nuclear-free world. Shifting from a world of multiple nuclear powers and nuclear aspirants to a world without nuclear weapons will require that formidable political, technical, and diplomatic obstacles be overcome. But the United States can significantly affect whether the world rises to meet these challenges or watches idly as the risk of a nuclear exchange escalates rapidly.

The United States should take the critical first step in this disarmament process by declaring clearly its own commitment to the goal of eliminating nuclear weapons. Only when the United States formally adopts the goal of a nuclear-free world will the necessary resources and high-

level attention emerge to solve the practical problems standing in the way of a world free of nuclear weapons.

*Barry M. Blechman, The
Henry L. Stimson Center*

On Target

■ Michael McGwire's article (spring issue) calling for the goal of a nuclear-weapons-free world and the actions to achieve that goal is right on target. Beyond Cold War deterrence, nuclear weapons have little utility and are expensive to maintain and operate at a time when every available defense dollar is sorely needed to modernize and maintain conventional forces. Rare leadership will be needed in both Washington and Moscow to get this process started, overcoming the inertia of "Strategic Warriors," "Arms Control Advocates," and well-intentioned policymakers who cannot see the fundamental change in the world.

No one can dictate a nuclear-free world; however, given the verified elimination of these weapons in the major military powers, no nation will accrue advantage from having a bomb because of the political, economic, and conventional retaliation costs that would go with ownership of these weapons of mass destruction. The goal of a nuclear-free world will not make war go away, it will not mean that weapons of mass destruction will be entirely eliminated. It will mean that the very unstable world is less likely to suffer catastrophic warfare as mankind, one hopes, matures.

*Gen. Charles A. Horner,
U.S. Air Force (ret.)*

Term Limits: Alive and Well after the 1994 Elections

■ Though typically perceptive, Roger Davidson ("Congress af-

ter 1994: Political Tides and Institutional Changes," spring issue) too quickly seeks to bury term limits in the rubble left behind by the GOP's ascendancy in the 104th Congress.

As in 1992, turnover in 1994 was largely the result of voluntary retirements, not losses in competitive elections. Though 35 Democratic incumbents lost their House seats, the reelection rate for House incumbents was still above 90 percent. Of the 86 new House members, 51 were elected in open seats. Were voluntary retirement the norm and typically high, as it was throughout the 19th century, the term limits movement would not be necessary.

The "message" sent by voters in 1994 was "crisp" only because it produced an historic change in the partisan composition of Congress. Term limits do not curtail the capacity of voters to send equally crisp messages. If anything, term limits will make the message easier to send!

Davidson is right that as soon as Republican leaders realized control of the House and Senate, they started backing away from their support for term limits. Not, I think, on principled grounds, but for pragmatic, political reasons. Long-serving Republican incumbents don't want to limit their terms—especially now that they're in power—any more than long-serving Democrats do. No surprise here.

Nevertheless, the public's enthusiasm for term limits has not waned. If anything, the defeat in the House of Representatives of constitutional amendments to limit congressional terms will likely enhance rather than diminish the public's fervor for term limits. The voters of Mississippi will judge the merits of a term limit initiative this fall. Expect it to pass easily, even should the U.S. Supreme Court

hold against the Arkansas term limits initiative.

Finally, the fact of seniority in the House, or any legislative body, proves neither its essentiality nor its desirability. That some level of legislative experience is required seems indisputable. The important questions are: how much experience is necessary and what kind of experience do we want? Given current House and Senate rules, seniority may predict institutional authority (and therefore productivity, per the research of John R. Hibbing), but it tells us little about how such a legislator balances the demands for responsiveness with the need for responsible action. "Amateur" legislators, encouraged by term limits, may be every bit as capable in this regard as "seasoned" professionals; term limit advocates believe even more so.

*Mark Petracca, University
of California, Irvine*

Unfunded Mandates and Regulatory Reform

■ James St. George ("Unfunded Mandates: Balancing State and National Needs," spring issue) injected a much-needed note of sober reflection into the recent debate in Congress over unfunded federal mandates. What that debate was missing was a sense of the social value of federal legislation that creates national standards. In many cases, these "unfunded mandates"—the Clean Air Act, the Clean Water Act, the Americans with Disabilities Act, the Family Medical Leave Act, the Brady Bill—are vital public protections popular with the American people.

The debate on unfunded mandates has taken place in a larger context of regulatory reform. While proponents of the new unfunded mandates law have claimed that their intent was not to overturn previously

passed federal legislation, many also support so-called regulatory reform proposals now being considered in Congress that would do just that. Such bills would in essence rewrite all other laws by placing economic considerations such as cost-benefit tests over all other considerations including their social value and the danger to public health and safety. Furthermore, these proposals would create lengthy petition processes and unnecessary lawsuits, clogging our court systems and delaying or killing regulations necessary to enforce federal safeguards.

The debate over regulatory reform in Congress must not become a new avenue for undermining vital public protections. I hope the reasoned approach that St. George applies to the issue of unfunded federal mandates will find its way into the larger debate over regulatory reform and its impact on vital public protections.

Gary D. Bass, OMB Watch

Government beyond the Beltway

■ James St. George's analysis of unfunded mandates (spring issue) sometimes tilts hard to the beltway view of life.

St. George is right that the origins of the consensus regarding the need to curtail unfunded mandates lay in the fiscal constraints being placed on all governments—federal, state, and local—by the tax-paying public in every election. State and local officials will no longer let Congress hide new costs.

The new unfunded mandates law forces cost-shift decisions into the sunshine, with roll call votes on unfunded mandates. This cause alone was sufficient to build a solid bipartisan coalition against all of the single and special interest groups that support the unlim-

ited "public good" programs, regardless of who pays.

But St. George is wrong in believing that state and local officials chose to oppose unfunded mandates as the "easy" way out of their fiscal problems because they share the anti-Washington political mood. By far, most state and local officials are not antigovernment, but view themselves as partners with the president and Congress to make government work better.

State and local officials, through the new law, do not obscure national standards, ignore federal aid, or ignore the shortcomings of their own revenue systems, and for sure are not ignorant about the implications of a balanced budget amendment—all arguments made by St. George to bolster the beltway view that governments should tax people to ensure that "an optimal level of the good is produced" and that "federal mandates may be the only method of allocating public goods efficiently." Where is the balance, the responsibility, and the end of such unqualified logic in light of the public reaction to an over-activist, deficit-ridden federal government?

St. George suggests that the \$217 billion in federal aid is plenty to cover any mandated costs. Two-thirds of all federal aid is in 12 safety net programs for the poor, of which 40 percent is for Medicaid alone. The balance is for transportation, Head Start, compensatory education, and mental health. What does St. George suggest we give up to pay for federal mandates?

States are hardly newcomers to the mandate debate. Governors were the first to demand exemptions for constitutional and civil rights. State officials chose voluntarily to serve those at 185 percent of poverty, especially children. The Coalition of State-Local Elected Officials

is calling for reenactment of the Clean Water Act and Safe Drinking Water Act, which include unfunded mandates.

I agree wholeheartedly with St. George's conclusion that enactment of the new law "limiting Congress's ability to impose future mandates and calling for a full accounting of the impact of already existing mandates is a reasonable compromise between the occasional need for national standards and the legitimate concerns of state and local officials."

That's the reason mandate relief is now public law. It's not because state and local elected officials are refusing to face the facts at home by taking the easy way out in joining the anti-Washington crowd!

James L. Martin, National Governors' Association

Balancing the Budget with Honest Math

■ Daniel E. Sichel's treatment of Republican budget proposals ("What's in Store? A GOP Contract for Tax Cuts and a Balanced Budget," spring issue) illustrates why the conventional wisdom is wrong. He greatly overstates the changes needed to bring the budget into balance by using Washington math and claiming that spending "cuts" occur anytime spending does not increase as fast as previously planned. This misleading approach is being used by Contract opponents because it allows big headlines about \$1 trillion of budget cuts. Needless to say, the potential for demagoguery falls dramatically if the American people are told that the budget can be balanced by the year 2002—including all the tax cuts in the Contract—if the annual growth of spending is limited to 2.225 percent annually.

Sichel's flawed analysis of what is needed in the future is probably due in part to his failure to understand what

happened in the past. He blames the rising deficits "in the early 1980s" on Ronald Reagan's tax cuts, but never bothers to explain how legislation enacted in 1981 that did not give the economy a noticeable net tax cut until January 1, 1983, can be blamed for a deficit that began an upward rise two fiscal years before Reagan had a chance to alter policy.

One presumes Sichel's solution to deficit spending is higher taxes, but history is not charitable to that view either. The month Reagan left office, the Democrat-controlled Congressional Budget Office projected that the budget deficit, which was then \$152 billion, would continue falling every year into the future as long as Reagan's policies were left in place. Two huge tax increases later, however, the budget deficit is \$200 billion and projected to climb every year into the future. It is incumbent on Sichel to explain why tax increases today will have any better results than these disastrous tax increases of the past.

*Daniel J. Mitchell,
The Heritage Foundation*

Correction

■ In a letter to the editor appearing in the spring issue, Michael Higgins wrote, "In companies such as United Airlines and Polaroid, certain employees took salary cuts in exchange for shares in an ESOP." The acronym ESOP, which means "employee stock ownership plan," was incorrectly spelled out "employee stock option plan." We regret the error.

The Review welcomes comments from its readers. Letters will be edited to conform to style and space.

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THE BROOKINGS REVIEW

Editor

Brenda Szittyá

Production

Susan F. Woollen

Proofreader

Ellen Garshick

Advertising/Marketing

Jill Bernstein, Lalie Chambers
(202) 797-6106

Circulation

Renuka Deonarin
Ann M. McDuffie

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Subscriptions: one year \$17.95 (\$24.95 foreign); two years \$32.95 (\$46.95 foreign); three years \$47.95 (\$68.95 foreign). (800) 275-1447; (202) 797-6258

Postmaster, send address changes to:

*The Brookings Review,
1775 Massachusetts Ave., N.W.,
Washington, D.C. 20036*

*Second-class postage paid
at Washington, D.C.*

*USPS I.D. No. 010-099;
Publication No. 551640.*

*Reprint permissions:
(202) 797-6107*

*U.S. newsstand distribution by:
Ingram Periodicals Inc.
1117 Heil Quaker Blvd.
La Vergne, Tenn. 37086
(800) 627-6247 (ext. 4500)*

*The Brookings Review
(ISSN 0745-1253) is published
quarterly by The Brookings Institution*

*Design and art direction by
Meadows & Wiser*

Printed in U.S.A.

On Families and Values

BY HERBERT STEIN

O, Family Values, what wonders are performed in your name! In your name some political leaders propose to give a tax credit of \$500 per child to every income-tax-paying unit except the very richest. I use the expression "income-tax-paying unit" because no particular family relationship is required. There may be a couple, married or unmarried, or there may be a single taxpayer, male or female, and the children may have a biological relationship to both adults, to one, or to neither. At the same time, also in the name of family values, it is proposed to reduce federal benefits to mother-children units if the mother is young and poor.

We do not have a family problem in America, or, at least, that is not one of our major problems. We have a children problem. Too many of our children are growing up uncivilized. The family deserves attention today mainly because it is the best institution for civilizing children. We shouldn't get too sentimental about that, however. Through most of history the family that reared children was not our idealized Poppy-Mommy-Kiddies group but a much more inclusive relationship. The first family was the scene of a fratricide. The most famous families in literature, the Montagues and Capulets, were obsessed with fighting each other, with fatal consequences for their children. Long before Freud we knew that the family could be a nest of vipers.

Despite its blemishes, perhaps exaggerated in literature because they are exceptional, the family is the best institution we know for rearing children. It is the best because it is most likely to be governed by certain values—love, responsibility, voluntary commitment to the welfare

of others, including those least able to fend for themselves, who are, of course, the children. That is what family values are.

In the rearing of children there is no satisfactory substitute for the well-functioning family. We should try to strengthen such families by private example, public policy, and in any other way we can. But even families that function well need supplementation by other institutions. Some families do not function well, for economic or psychological reasons, and they need even more assistance. In modern societies it is recognized that other institutions have a responsibility and capacity to contribute to the raising of children. These institutions include government, whose wide-ranging functions, from education to preventing child abuse, are generally accepted.

Moreover, there are really no such things as "family values." What we call family values are simply human values that also exist and are desired in relationships outside the family although they are probably less dominant there.

Our need now is to bring what institutions, resources, and values we can to bear on the problem of our children. From that standpoint the current trend of policy seems perverse. The "child credit" has little to do with the welfare of children. Very few of the children in the tax-paying-units that would receive the credit are part of the children problem in America, or if they are it is not because the after-tax incomes in the units are too small. Little of the income that would be provided would go to the benefit of children. Presumably the additional income would be used for purposes that the taxpayer had

previously thought were of lowest priority. Any need of a child that a taxpayer with an income of, say, \$60,000 would meet only upon receipt of a tax credit of \$500 could not be a very important need.

Neither is it reasonable to think that reducing government cash and food benefits to poor children who are themselves the children of poor child-mothers will help to civilize our children, although it may reduce somewhat the number of them born in the future. More care, nurturing, counselling, and education will be needed, in the home, in a foster-home, in a school, perhaps even in an orphanage. The drive to cut costs in the name of family values provides none of that.

When I say that "our" children need to be civilized, I do not refer to my biological children and grandchildren, or yours either, dear reader. I refer to America's children.

When the bomb exploded in Oklahoma City we all wept and prayed for the children. We did not say that they were only their parents' children or Oklahoma's children. They were America's children.

The children growing up in wretched families, in unsafe schools, and in vicious streets are also "our" children. A decent respect for family values calls for more concern with them and more commitment to them than is shown by most of those who now wave the flag of family values. ■

Herbert Stein is a senior fellow of the American Enterprise Institute for Public Policy Research. He is the author, most recently, of

On the Other Hand: Reflections on Economics, Economists, and Politics (AEI Press, 1995).



Reclaiming the



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Vision

WHAT SHOULD WE DO AFTER AFFIRMATIVE ACTION?

CONSTANCE HORNER

The powerful moral vision that generated America's civil rights movement is on the brink of disintegration. Unless that vision—of a racially integrated society aspiring to equal justice and equal opportunity for black Americans—is reclaimed, the United States will, on the cusp of a new millennium, fail at a crucial political task it has assigned itself since the Civil War. It will also diminish its signal historical standing as creator of exemplary solutions to the deepest dilemmas of civic life.

That is why the current debate over affirmative action matters greatly. How America deals with the challenges posed by this issue and how we explain what we are doing will define our strongest commitments and ideals for our time, just as our words and deeds over the 45 years of the Cold War defined our commitment to political and economic liberty in that time. For there can be no mistaking that civic harmony among racial and ethnic groups is among the most salient global challenges of the next half-century.

Constance Horner is a guest scholar in the Brookings Governmental Studies program. A former head of the U.S. Office of Personnel Management, she is a member of the U.S. Civil Rights Commission.



With the irony that colors so much of human affairs, the 30-year series of public policy and judicial decisions we know as affirmative action has come to threaten the vision of a just and integrated society that gave birth to it. Yet in the minds of many black Americans, affirmative action is identified with a national commitment to their advancement.

There is little question that affirmative action will be modified, phased out, or even, under a cascade of Supreme Court decisions, state initiatives, and federal legislative action, abruptly terminated. Therefore it is vital to understand the full range of reasons for its rejection. Black Americans should not come to believe that the decision against it constitutes a rejection of the vision that brought it into being, and the country needs an understanding of the elements that would comprise an effective replacement for it.

What Next?

A democratic polity can change the means by which it achieves its ends, provided that it operates in good faith and gives those most vulnerable to democratic decisions, the minority, reason to believe in the majority's good faith. Examining the sources of discontent with affirmative action policies and practices will help not only to design sound replacement policies, but also to create and sustain an expectation of good faith in the deliberations about what to do next.

One of the dilemmas confronting people in public life critical of affirmative action has been the concern that calling it into question would be viewed by black Americans as, at best, indifference to their historic plight or, at worst, a contributor to resurgent racism. Some proponents of affirmative action have, over several decades, taken advantage of this concern to enforce a politically correct silence that has precluded the incremental correction of a public policy gone awry that is preservative of peaceful democratic change. Indeed, some of the explosive force of the current critique results from the unleashed resentment over this intimidation.

Supporters of affirmative action have put forth various economic, political, and psychological explanations for the burgeoning opposition to it. Opposition results, they say, from a generalized hostility ("white male rage") stemming from low wage growth and job loss, exacerbated by partisan Republicans inflaming a "wedge" issue for the next election, or from the flaring up of a permanent or "institutional" racism that can never be fully suppressed, only contained through political *force majeure*.

At root these arguments are premised on an expectation of bad faith and a presumption of economic determinism. As such they deny the strength and persistence in American culture of the premises on which the civil rights movement was based and flourished—a sense of fairness, a belief in racial integration, and a presumption that a civically activist polity will voluntarily (if slowly) make positive social change. Therefore, whatever their truth, these explanations are questionable and limited guides to constructing a sustainable next generation of efforts to increase equality of opportunity.

Moreover, they fail as full explanations for why the broad national revulsion toward the practices of affirmative action (including that felt by women and, to a lesser extent, blacks, its intended beneficiaries) is being expressed at this time and with such force.

Polls defining affirmative action as racial preferences show overwhelming white rejection (in the neighborhood of 75 percent) and an almost equal split for and against among blacks (46 percent for, 52 percent against in an April *Washington Post*–ABC national poll). An entirely separate set of polls taken in the same time frame suggests that an additional or different—and far more benign and hopeful—interpretation of the antipathy to affirmative action is available than the angry class- and race-based explanations advanced to date.

Antipathy toward "Big Government"

Almost 70 percent responding to one national poll indicated a belief that "the federal government controls too much of our daily lives." Another poll had two-thirds of Americans choosing "big government" as the country's gravest peril. In the light of these data and much more confirming their findings, it is hard to escape the observation that antipathy to big government and to affirmative action have emerged together as two of the most powerful political sentiments achieving national expression at this time. Although simultaneity does not demonstrate connection, it is at least suggestive of it.

The 30-year growth of affirmative action's regime of federal statute, regulation, judicial decision, and administrative practice, burgeoning well beyond its straightforward original purposes of nondiscrimination and equality of opportunity, not outcomes, has not occurred in a vacuum. It has developed simultaneously with and as part of the federal government's regulatory curtailment of private, discretionary, and voluntary action in many areas of American life—a curtailment compounded by federal support for social programs embodying and projecting values most Americans reject. The huge Republican victory in November likely reflected a rejection on both counts—a rejection of the degree of regulatory intrusion and a rejection of some of the values embodied in social welfare programs. It is very likely that rejection of affirmative action has been greatly intensified by its association with both, as well as by its provenance in the Democratic party—the "mommy party" for the "nanny state." If this is so, Americans may be viewing affirmative action as a regulatory structure to be dismantled more than a moral vision to be fulfilled. The moral vision was of a nondiscriminatory, integrated society; the regulatory structure, intending to integrate, now separates. The moral vision was democratically and openly implemented through legislation to affirm a commitment to equal opportunity and equal justice before the law; the regulatory structures are developed by fiat-oriented bureaucracies and by judges disdainful of the context of competing values and of the enormous vitality and variety of a culture bursting the bonds of regulatory structures and reverting to earlier, more clearly defined values in many areas.

OMB Directive 15

To see these conflicts in play, one need only look at what is happening to a little-known but powerful directive governing the federal government's collection of racial statistics. Promulgated in 1977, Office of Management and Budget Directive 15, "Race and Ethnic Standards for Federal Statistics and Administrative Reporting," governs the categories the Bureau of the Census may use in assessing the country's racial composition. The racial statistics developed through its categories serve as the basis for enforcement of voting and other civil rights by the Department of Justice, the Equal Employment Opportunity Commission, and the civil rights offices of other federal agencies. Billions of dollars of federal spending are targeted for women and racial and ethnic minorities on the basis of these statistics. (Even Small Business Administration set-aside programs directed to "socially and economically disadvantaged" individuals and institutions are *de facto* allocated largely by race and ethnicity because administrative practice and law "presume" that certain racial and ethnic groups are "disadvantaged.") Allocation of not inconsiderable political power, through the drawing of congressional district lines, is based on their collection. Determinations of "adverse impact" in private-sector hiring practices rest on a racial count of an area's labor pool, and lawsuits may follow.

Virtually every arena of activity is affected by these categories. According to a Congressional Research Service report, "targeted funding, in various forms, and minority or disadvantaged set-asides or preferences have been included in major authorization or appropriation measures for agriculture, communications, defense, education, public works, transportation, foreign relations, energy and water development, banking, scientific research and space exploration, and other purposes." The distribution of a great deal of public and private money and a considerable amount of political power relies on the racial and ethnic numbers produced under Directive 15.

Currently, people being counted by the census under the categories of OMB Directive 15 are asked to identify themselves racially as white, black, Asian-Pacific Islander, American Indian-Alaskan native, or "other." If "other" is selected, the census taker is expected to "reclassify" that person into one of the four groups on the basis of appearance. (People are also asked an "ethnic" question as to whether they are Hispanic.) These tidy boxes constructed by the federal government bear, as is obvious, very little relationship to the racial and ethnic variety of the country. The OMB, as a result, is agonizing over whether to add a new category, "multiracial." So far it has been unable to do so (except in limited testing). Ironically, and much to the point of the country's discontent with government's affirmative action structures, the use of racial categorization is imposing a powerful set of incentives for those receiving benefits to remain distinctly within their categories.

Thus a governmental structure whose original intent was to overturn a regime of segregation has been transformed into an apparatus supporting its return. Policies growing out of a national commitment to



*Examining the sources of discontent
with affirmative action policies
and practices will help not only
to design sound replacement policies,
but also to create and sustain
an expectation of good faith in
the deliberations about what to do next.*

racial integration and designed to facilitate integration instead entitle and empower on the basis of separation. To do so, moreover, these policies must deny the reality of an increasingly racially mixed society. Indeed, the government's difficulty in changing OMB Directive 15 must call into question the degree of confidence the public may repose in its commitment to the ideal of racial integration. It surely must at least raise a suspicion that a tolerance (if not a preference) for separatism has infiltrated and is delegitimizing a significant underpinning of affirmative action.

The static regulatory vision of racial

America is empirically outmoded.

It is also antithetical to the long-term

interests of black Americans.

Counterproductive Racial Pigeonholes

Meanwhile, American social vitality defies and discredits the official racial demarcations. In spite of the stresses and strains of historic antagonisms, racial and ethnic groups continue to integrate, even in the most intimate realms of marriage and family. Although the last state anti-miscegenation laws were struck down as recently as 1967, according to the latest census data more than 4 percent of blacks, and 6 percent of black men, are married to nonblacks. Ten percent of black men aged 25–34 have entered interracial marriages, mostly with white women. Thirty percent of Hispanics are married to non-Hispanics. Transracial adoption, strongly discouraged by most state and municipal governments, has nonetheless continued to grow. A provision in the Republican “Contract with America” denies federal funds to agencies that discriminate on the basis of race in child placement. The U.S. Department of Health and Human Services, long an opponent of transracial adoption, has recently, and grudgingly, yielded to public anger over adoptable black children languishing in foster care and issued guide-

lines that no longer actively discourage such adoptions.

Rita Simon, an academic sociologist who studied transracial adoption for several decades, was quoted in *USA Today* as believing that “Where we come down on transracial adoption should tell us what we really think about integration and separation.” She reports polling data indicating that 70 percent of blacks and whites support such adoption. Syndicated columnist Ellen Goodman writes of children like multiracial golf star Tiger Woods, who is of black, Thai, Chinese, and American Indian origins, as affording America a racial “demilitarized zone” and a bridge among the races.

But interracial marriage and transracial adoption are small indicators of the extent to which government's racial and ethnic categories fail to comport with reality, compared with the consequences of the great wave of immigration since those categories were devised. Immigration now accounts for 37 percent of national population growth. More than one million legal and illegal immigrants enter the United States every year—in absolute numbers an historic peak—with the number of countries sending immigrants rising from 21 in 1970 to 27 in 1980 to 41 in 1990. More than 150 languages are spoken in the United States, and Americans claim almost 300 racial and ethnic groups. There is even an intellectual attack on the existence of race as a scientifically reliable concept among geneticists and physical anthropologists. Stanford genetics professor Luigi Cavalli-Sforza believes that classifying by race is a “futile exercise.” In a February 13 *Newsweek* poll, one-third of American blacks said that blacks should not be considered a single race.

It would be naive to view these trends as suggesting that the country has, only 30 years after the end of legally sanctioned racial segregation, reached the point where there is no further need for the interventions of government to forestall or punish continuing acts of racial discrimination and to help expand opportunity for advancement. But it is also naive to ignore the belief of opponents of affirmative action that the federal government has far exceeded the bounds of common sense in the structures it has devised to ensure equal opportunity and that indeed many of those structures, like OMB Directive 15, now impede racial integration and advancement by their overreach and by their disconnection from a changing social reality.

Betraying the Vision of an Integrated Society

The static regulatory vision of racial America is empirically outmoded. It is also antithetical to the long-term interests of blacks. Drawing voting district lines on the basis of race and other mechanisms such as those proposed by Lani Guinier, for example, furthers separation by race on so crucial an act of citizenship as voting; it trades a short-term electoral reward for the creation of the idea of permanent, irreducible, separate interests based on race, hardly a vision of an integrated society. Maintaining important permanent structures based on race posits permanent separation and therefore economically, politically, and intellectually counterproductive isolation.

It is simply not possible to reduce the salience of race by enhancing its salience. The widespread appli-

cation of lower standards for academic admissions, for example, has drawn ill-prepared students in over their heads and created, by this artificially contrived mismatch of student and school, the impression of black intellectual inferiority, a reactivation of the racial stereotype most dangerous to black advancement. These admission policies have allowed white-governed institutions to “feel better about themselves” at the expense of the full development of black intellectual potential. They have produced a college dropout rate for blacks of almost two-thirds. They have led to the spectacle of a university president, however unintentionally, questioning the “genetic, hereditary” capacities of black students. They have led to speculation by the chair of the U.S. Commission on Civil Rights in congressional testimony that if tests determined college admissions and entry-level jobs, “Asians and Jewish Americans would hold the best jobs everywhere and populate almost entirely the best colleges and universities.” Similar policies have led municipal police and fire departments to hire, in the 1980s, underqualified recruits who were not able to achieve promotion in the ‘90s, thereby creating for blacks the appearance of racist promotion policies and for whites the appearance of black incapacity. When public and private institutions have denied or obscured the practices of these admissions and hiring policies, from a concern that the beneficiaries would be embarrassed or a fear that the policies would fail of public support in the sunshine, they have created a cynical distrust about their fairness or good sense that has contributed mightily to the strength of the opposition to affirmative action.

A New Beginning

Now, uphill, good faith must be reclaimed. It would be a tragic failure of American civic genius, and a great cruelty, not to take this opportunity to think the issue of equality of opportunity anew. Along with other 30- to 50-year-old structures of government, affirmative action is crumbling under the pressure of change. But if the regulatory structure on which affirmative action relies is, at best, counterproductive to the accomplishment of the purposes informing the civil rights movement and the antidiscrimination legislation that grew out of it, what then is to be done?

New approaches should align minority interests with ascendant and longstanding American values, so they will be both powerful and sustainable. What might such approaches look like?

First, public policy should promote racial integration, not only at work and at school, but also in the home. Anything weaker will allow separatists and racists, white and black, the wedge they need to indulge the fantasy of a more “comfortable” life, which is socially, if not legally, separate. The moral vision that galvanized national support for the civil rights movement was not “separate but equal.”

Second, intentional racial discrimination of the sort the Civil Rights Act of 1964 had in mind should be powerfully stigmatized and punished. The law is a teaching instrument. The moral fuzziness of affirmative action has confused this teaching and undercut it.

Third, where intellectual attainment is properly the

basis for decisions, as in some but not all entry-level hiring, promotions, and academic admissions, standards should be applied nonracially with no *de facto* “race norming.” That implies the probability of some near-term decline in numbers of blacks in exchange for strengthened confidence in those who, in time, achieve in equal numbers. At the same time, there must be a revitalized commitment to dramatic improvement in the quality of education. Since, for the foreseeable future, almost all students will be in the public education system, its reform must be the focus of attention. There is general agreement on much of what needs to be done. Schools should run year-round. Teachers should be hired competitively and paid accordingly. Black mayors and city councils should stop using schools as jobs programs and be willing to hire the best teachers nationally, regardless of race. Curricula should be basic, tough, challenging, and fad-free. Parents with vouchers might accomplish these and other goals.

For 20 years, public agencies have devoted extraordinary resources to assembling racially representative workforces. The next generation of policies should be clearly non-racial and announced as such. Practical ways to bring race-based hiring to an end should be developed and implemented in ways that assure continuing public confidence in public processes.

Fourth, federal regulation—fiat—to assure outcomes should generally be replaced by greater room for discretion to offer opportunity. That will transform resentful but minimal “compliance” that is taken out of the hides of “beneficiaries” in other ways, into voluntary moral acts of good citizenship and common sense. It’s not naive—it’s human nature. People resent losing the opportunity to do the right thing freely.

Fifth, tortured attempts to substitute additional economic for racial entitlements should be dropped; as thinly disguised generic redistributionist policies, they are entirely contrary to the thinking of the times, administratively nightmarish, and therefore not at all likely to work.

Sixth, the bourgeois practices that help poor people improve their circumstances—study, work, saving, marriage, child-bearing, in that order—should be preached, not dismissed or ridiculed as they have been since the 1960s, and rewarded in the design of public policies.

However Long It Takes

Finally, American leaders in every sector and of all races should make the same kind of commitment to racial integration they made after World War II to fighting and winning the Cold War. Affirmative action arose from an impatience that the consequences of several hundred years of slavery and discrimination could not be overcome quickly. For many, those consequences have been largely overcome. For many others, they have not. How long the effort takes is less important than that it be headed in the right direction.

New directions, embodied in values and practices that have worked for America before, may help solve the problems of race in ways that can be sustained. If sustained, they will provide a model for other societies facing worse divisions and internal conflict. ■

Blood Brothers

**FRANCIS
M. DENG**

I dentity, as defined in anthropological or sociological literature, has much to do with how we perceive ourselves racially, ethnically, culturally, religiously, or otherwise. Sociologists generally argue that it is what you think you are, rather than what you really are, that counts. But of course what we think we are does not always reflect what we “really” are and the way others see us.

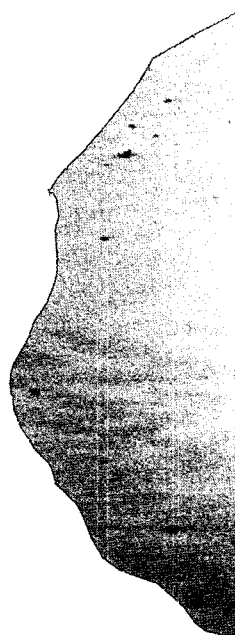
If for some peculiar reasons I fantasize myself as being white, when I am in fact black, my mistaken perception of my personal racial identity is of no consequence to anybody. But if a group of my black friends and I share the same racial fantasy and build a group identity on it, excluding others of my black friends from the life of the group, the discrepancy between what we think we are and what we “really” are becomes a matter of consequence—and deprivation—for others.

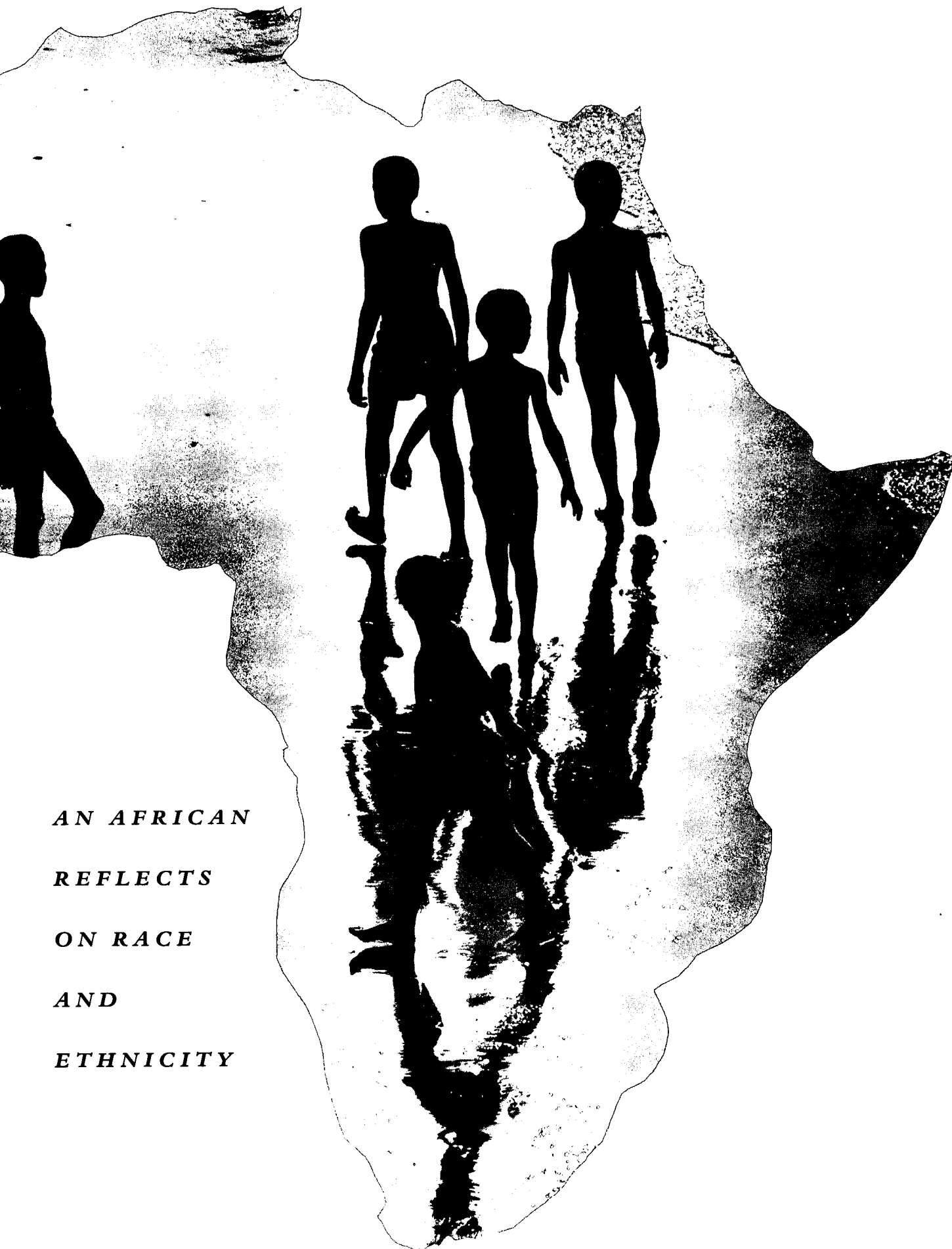
I want to address three societies, two in my native Africa and the one here in the United States, that are suffering what I call racial identity crises—crises marked by confusion between what people think they are and what they really are objectively. In all three, the confusion has moved beyond the realm of private, individual belief, with no consequences for others, to that of national life, with severe consequences that range from social, economic, and political discrimination all the way to genocide.

Ethnicity in Sudan

Sudan, my native country, is generally identified as Arab. In fact, 39 percent of the population of Sudan are people who, over hundreds and hundreds of years of evolution and stratification of races, religions, and cultures, became genetically mixed, culturally Arabized, and converted to Islam. Arabs first came to Sudan as traders. Later, with the advent of Islam, they came as promoters of the faith. They intermarried with the local population, and, by virtue of their privileged economic, religious, and political status, eventually transformed the indigenous system, giving it an Arab identity.

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*AN AFRICAN
REFLECTS
ON RACE
AND
ETHNICITY*



To an outsider accustomed to conventional racial thinking, the Sudanese who call themselves Arabs do not look Arab.

To the Sudanese people, however, they do.

The liberalism of Islam on race facilitated the transformation. (Under the Islamic system if a master has a child with a slave woman, that child is born free, is fully identified with the father, and is of status equal to any child of a free woman.) Members of the black "heathen" races could, by speaking the Arabic language, by becoming culturally Arabized, or, even better, by claiming some descent from Arab origins, whether or not it was visibly justified, become accepted and assimilated and enjoy a sudden rise in status. They could transcend their black identity, which carried with it the stigma of slavery, to become more or less equal to any person of Arab origin. Not all the native peoples, however, chose to take on that new identity.

Sudan is usually seen as divided between the Arab-Muslim North, two-thirds of the country in both land and population, and the South, where the people remain more indigenously African, with an educated Christian elite. While the North is home to significant pockets of people who have been little affected by Arabism, by and large the northern people, visibly mixed as they are, consider themselves Arabs. The South, the confrontation point between the incoming Arabs, mostly slave raiders, and the local population, primarily the tall ebony black Nilotic tribes, strongly resisted both Islam and Arab culture.

British colonialism brought these two populations together into one state, but reinforced the dualism by making the northern Sudanese continue to feel Arab (with the educational system Arabized and Islam as the principal source of law and the moral code) while building the South on its African traditions (reinforced by Christianity, education in English, and Western political concepts of pluralistic democracy and secularism). In the end, Sudan became independent as a single state dominated by the Arab North. Southern resistance took the form of a rebellion a few months before independence and later escalated into a civil war that has raged intermittently for nearly four decades. Its toll in lives lost now numbers more than a million. Millions more have been uprooted from their homes.

At the core of the brutal conflict is a crisis of national identity that springs largely from the racial and cultural anomalies of the North. Northern Sudanese, as a group, display a range of colors and physical features, but not a clear "Arab" image. Indeed, most northern Sudanese look just like any other African. Many are as black as the Nilotics of the South. Yet they consider themselves racially Arabs, not Africans, and are committed to the creation of a state that is both Arab and Islamic. The situation is analogous to the one I described earlier. The perception by northern Sudanese of their Arab racial identity, which, in and of itself is neutral, has been projected by ruling elites as the national framework, a framework that is inherently discriminatory toward other Sudanese. Race, linked to language and religion, is therefore a major factor in the conflict.

In the Sudan people do not use the conventional racial terms black and white. Black is considered the color of slaves, and Arabs would never thus describe a

free person. Skin color is used only as a description of the individual, not to classify people racially. The color used to describe someone who is black is blue. In the Sudanese usage, as black as I am (being a typical Nilotic), I would be called blue. Those who are a little lighter complexioned than I would be called green. Those a little lighter than green would be brown or red in that order. And it goes on to yellow and ultimately to white, though the color white is rarely used, and when it is, it is more of a description than the label white connotes in Western usage. Within families in the North, one often finds members described by different colors, a situation that illustrates the fluidity of racial or ethnic identification in Sudan.

Once when I was minister of state for foreign affairs of Sudan, the vice president and I went to look into a violent conflict between the Missiriya Humur Arabs of Southern Kordofan province and their neighbors to the south, the Ngok Dinka. In a meeting with the paramount chief, (Nazir) Babo Nimir, of the Arabs and his senior chiefs and tribal notables, I challenged them on their assumptions about the racial identities that divided them and their Dinka compatriots. Addressing myself to the chief, I said, "Uncle Nazir, you have been to Saudi Arabia and other Arab countries. What do the people there look like?" In local Arabic and with a humor for which he was known, he responded, "*Wa Lahi humur*" ("By God, they are red"), by which he meant very light-skinned. Ironically, the name of his tribe, *Humur*, is based on the assumption that as Arabs they are light-skinned, even though in reality most of them are stark black. "Well," I continued, "look at the faces of all the people assembled here. Where does this dark color on your skin come from? Is it not from your Dinka compatriots whom you deny—as they do you—on genetic or racial grounds? Aren't you really relatives who are not only denying what you have in common but killing one another on the basis of perceptions that are distorting the realities of your racial mix? Why make enemies out of relatives?" The power of my message was expressed in the roaring laughter it received from all assembled.

To an outsider accustomed to conventional racial thinking, the Sudanese who call themselves Arabs do not look Arab. To the Sudanese people, however, they do. In fact, another story I am fond of telling concerns a young man from the South of Sudan who visited the United States, staying with a host family in New Jersey. Being black, he wanted to go to Harlem to see the American blacks, and his host family complied. As they drove around, the Sudanese wondered where the blacks were. "Don't you see them all over the place?" his host family remarked. To that, the Sudanese responded, "But these people are Arabs; they look Arab to me."

In Sudan the physical evidence of the African racial identity is prominent, but it is denied.

Ethnicity in Burundi and Rwanda

Let me now turn to two other African countries, Burundi and Rwanda, that have much in common.

Both are divided between the traditionally cattle-owning Tutsis, considered to be of Hamitic race and the elite ethnic group, and the predominately farming Hutus, viewed as racially Negroid, a lower breed, and discriminated against, though they are by far the majority, comprising about 85 percent of the population.

Following independence from Belgium in 1962, the power dynamics in the two countries took contrasting courses. Burundi became a constitutional monarchy. But with violence erupting after general elections in 1966, the Tutsi-dominated army assumed control and alternatingly remained in power until the first presidential elections in June 1993 resulted in the election of a Hutu president who began to restructure power. Four months later, the elected president was assassinated, and the country plunged into inter-communal massacres.

In Rwanda, the Hutu majority assumed power at independence under a republican constitution and established themselves in all institutions of government, forcing many Tutsis into exile. The exiled Tutsis formed the Rwandese Patriotic Front (RPF) and staged an armed struggle. A powersharing agreement brokered by the leaders of the region was aborted by the extremist Hutus who became apprehensive that the Tutsis were going to restore their historical dominance. The fatal downing on April 6, 1994, of the plane carrying the presidents of Rwanda and Burundi, returning from their peace talks with the RPF in Tanzania, triggered genocidal massacres that are all too familiar.

During a recent visit to Burundi, I went to a number of displaced camps temporarily accommodating thousands of people, mostly Tutsis, protected by the army. For the most part, the Hutus, "the dispersed," were scattered in hiding in the hills, the marshes, and the valleys. But some of the camps held both Hutus and Tutsis. I had come to know, more or less, the stereotypical description of the short negroid Hutus and the tall, fine-featured Hamitic Tutsis. As I looked at my audiences, I saw a few who were clearly Tutsis and a few who were clearly Hutus. But most were somewhere in between, and I could not identify them. I later asked the Burundese, including senior government officials and ministers, whether they could tell a Tutsi from a Hutu. The response of the foreign minister, which represented the general tone, was a confident "Yes," but "with a margin of error of 35 percent"—a remarkable margin given the confidence of the affirmative answer.

Again, the physical evidence of kinship is denied in the face of self-proclaimed racial divides.

The Unanswerable Questions

The questions that must be asked—and that I did ask—of participants in Sudan, Burundi, and Rwanda are these: "Why do you allow your nation to be divided by perceptions of ethnicity or race that do not reflect the realities of your people? What is it exactly that determines why one is an Arab or an African, a Hutu or a Tutsi? Is it the bi-

ological composition? Is it the culture? Is anyone telling your people that the racial issue that divides them—to the point of slaughtering one another—is a myth, that racially they have far more in common than they believe?” My questions got no answers. The myths of racial and cultural identity had become unchallengeable realities. People identified themselves as their parents or the society had told them, and despite a great deal of intermarriage and residential mixing, the labels had become internalized and were perceived as clear-cut.

The policy implications should be obvious. The ideal would be to restructure the national identity so that what the nation is said to be, what people think they are, and what they think of the others can all be accommodated on a common ground. But failing that, if divisive self-perceptions are so important, whether or not they reflect reality, then leaders must enable the groups either to coexist or, in extreme cases of incompatibility, to partition the country.

In the case of Sudan, all these options, including partition, are conceivable because identities reflect geographical realities. In Sudan a military fundamentalist regime in the North is trying to impose an Islamic system on the whole country. A civil war rages on that neither side can win decisively. If the Sudanese people cannot live together and cannot restructure their concepts of national identity, it may in the end be more practical and in everyone's interest to divide the country.

In Burundi or Rwanda, partition is not possible. Burundi's main goal must be to avoid repeating the Rwandan genocide. Fortunately, the parties have worked out balances of power: the minority Tutsis have the army, and the Hutus have the electoral majority. The elected president will be Hutu, the prime minister Tutsi. A national security council is 45 percent Tutsi and 55 percent Hutu, and all positions in the establishment will be divided according to the same ratios to reassure the Tutsi minority of protection and security. The agreement guarantees them enough power to protect themselves, while reassuring the majority that despite Tutsi domination of the army, the Tutsis will still respect the democratic power of the Hutu majority.

This arrangement is precarious and by no means sure to succeed. But it is an attempt to deal with an acute crisis of identity. Perhaps it will prove a first step toward restructuring the national identity to be more reliably inclusive.

The American Condition

In the United States, African-Americans have moved progressively from being hunted, captured, and treated very much like animals, to struggling for freedom, to—now—struggling for equality. The United States was in the midst of intense racial turmoil when I first came here in 1964. It has been struggling ever since, with some success, to achieve the civil rights revolution begun then by whites and blacks together.

Not everyone agrees with me that progress has been made. Some with whom I talk believe the situ-

ation has worsened. Economically speaking, most people would agree that a sizable portion of the black population has received a higher level of education and has been elevated to the middle class. But it is also widely agreed that a new element of class has been injected into the black community, which had been united by racial segregation, and that some blacks have become even worse off in comparison. Cutting across the class distinction, however, is a white-black divide that I find to be arbitrary and unsupported by the realities of racial mix in the United States.

I once went into a store here in the United States and met a black man, slightly inebriated, who looked at me and said, aghast: “Wow! I thought I was black!” The remark summed up the absurdity of the simplistic black-white racial dichotomy in the United States. Just as I looked at those Burundi masses and could not tell who was a Tutsi and who was a Hutu, I look at American men and women along the spectrum of black and white and see the range in between. Many well-known African-Americans come to mind who are mostly white, but who, because of a drop of noticeable black blood, are identified with me as black.

Recently an acquaintance recommended a prominent black man as a good vice presidential candidate—not only because of his own personal strengths and popularity, but also because he is black. I injected, “I guess also because he is three-quarters white.” (The racial fraction was, of course, figurative.) Conceding the point, he replied, “We should be realistic; if whites are going to accept black leadership, would it not be easier to have a person whose color is close to white?” Here, then, is the paradox: That person is being accepted as mostly white while he is also labeled black in a world that is neatly, but quite arbitrarily, divided into black and white.

The question for the American white population, as for the northern Sudanese and for the Tutsis and Hutus in Rwanda and Burundi, is: why deny people who share much of your own racial identity, people who in effect are your blood relatives? Why denigrate a group that is in large part a product of your own genes? Why reject your own sons, daughters, or kindred, both racially and culturally?

Let me hasten to dispel any impression that I am rejecting the element in the African-Americans that binds me to them as an African or a black; I am most certainly not. But if race is what binds me to them and them to me, what constitutes race? Is it the blood composition? Is it the biology of the person? Why is a person who is three-quarters white denied by those with whom he shares so much of his biological make-up and lumped together racially with those with whom he shares only a small portion of his racial composition?

Americans, like the Sudanese, the Burundese, or the Rwandese, are divided by myths of identity that do not reflect reality. These myths would not be a matter of public concern if the individuals or groups who believe in them were living in isolation. But as they are living with others and want to build a nation together with them, the myths have serious conse-

quences for the common good and must be scrutinized and reconsidered.

Of course the issue is not merely exploding the myths and declaring that indeed the shared heritage does not justify divisive racial labels. In the United States, for example, I am not asking the whites and blacks of lighter skin to pull closer together against the darker-skinned. The challenge is to dispel the basis of discrimination so that people can be seen as individual citizens equal to others of varied biological make-up and inferior to none on the basis of color or "race." Removing the basis of unfounded racial identification to foster equality is only a first step. True equality will have to be built by concrete practical steps to empower the disenfranchised and endow the impoverished to achieve a minimum level of equilibrium or parity.

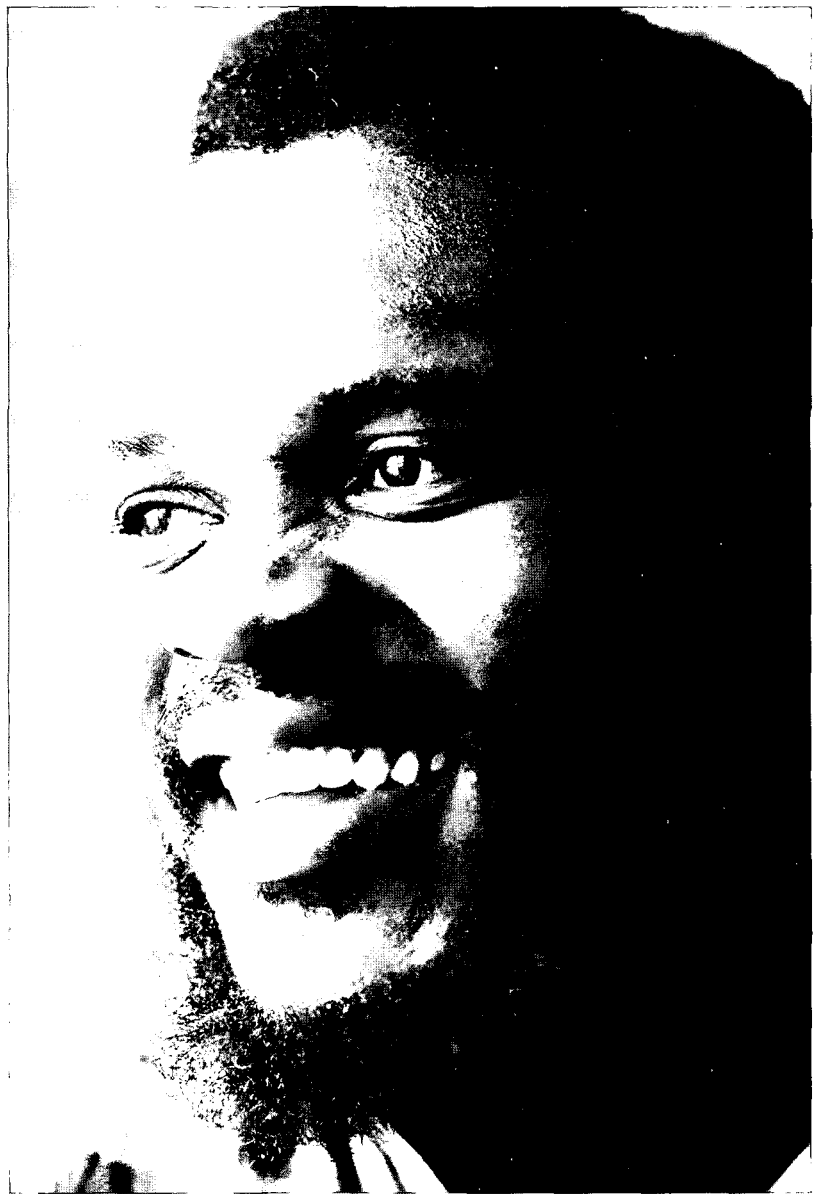
I am mindful of the complexity of urging the legal system and the society to be color-blind or to erase perceptions of racial distinctions. To tear down the barriers of race does not mean closing one's eyes to past injustices and the need for corrective measures. Obviously, if the United States wants to correct the wrongs of history, race becomes a factor. But the dilemma is that the more you think racially to correct racial inequities, the more you reinforce the simplistic dichotomy between black and white, which provides a fertile ground for antagonism and prejudice.

Look into the Mirror

The challenge will be to see people as individual human beings with their strengths and weaknesses, but with a conscious will to correct the past in a way that reinforces and strengthens human potential rather than weakens and incapacitates their growth and resourcefulness through debilitating dependency. Nor am I suggesting that we homogenize the country and not recognize the wealth of diversity in creating a nation. Certainly, the nation is racially and culturally much more mixed than the divisive labels justify. And yet, everyone knows the sources of culture from which Americans, in their rich diversity, came and which have become part of the resources the nation should and indeed does build upon. I see no contradiction between tearing down the barriers of fictional divisions of race or color and building on the varied sources of the culture that the country represents.

What I am saying may not be popular, but I say it with a sense of respect and admiration, even affection for this country.

I am encouraged by conversations I have had over the years with a mixed-race family. The father, black though light complexioned, was raised to have no doubt about his blackness. His wife is white, their son virtually so. When I first talked with the couple about 10 years ago, voicing essentially the views expressed here, they assured me, "In this country, you cannot afford to have a child grow up with doubts about his or her racial identity." They were raising their child to identify himself as black. Several years later, we talked again. The couple had just discussed with their son the issue of how he identified himself. He said he felt he belonged to both races, black and white. ■



I see no contradiction between tearing down the barriers of fictional divisions of race or color and building on the varied sources of the culture that the United States represents.

Does *The Bell Curve*

William T. Dickens and Thomas J. Kane are visiting fellows, Charles L. Schultze a senior fellow, in the Brookings Economic Studies program. They are completing *Does The Bell Curve Ring True?* (Brookings, forthcoming, 1995), from which this article is adapted.

Measured by the media attention and controversy it has attracted, *The Bell Curve* by Richard Herrnstein and Charles Murray was the publishing event of the decade.

The book presents a disturbing and highly pessimistic view of trends in American society. The United States, according to the authors, is rapidly becoming a caste society stratified by IQ, with an underclass mired at the bottom, an elite firmly ensconced at the top, and only a limited scope for public policy to boost the disadvantaged. But the bulk of the attention and controversy that swirled around the book focused not on its sweeping vision of what is happening to U.S. society, but on the authors' application of their theories about IQ to the question of race.

Charles Murray complained in the *Wall Street Journal* last December that the critics' focus was too narrow. We sympathize with Murray's frustration over the content and tone of some of the criticism that the book received. But the book may have fared even worse had the discussion of race and genetics not distracted attention from some serious problems of analysis and logic in its main arguments. There are indeed some useful messages in the book. But there is also much wrong with it.

High IQ Does Not Guarantee Success

Herrnstein and Murray are not the first to ask what determines economic success. Many studies, using many different sources of data, have examined the extent to which factors such as education, family background, and IQ can explain differences in people's wages or family income. On two points these studies agree closely. First, measurable differences among individuals—including IQ test scores—can explain only about 30-40 percent of the differences in economic outcomes. The remaining differences arise from unmeasurable factors—personal-

ity, looks, networking, perseverance, concern for the future, and just plain luck, to mention only a few. Second, differences in IQ alone (as measured by test scores) explain some fraction of the variation in income, but realistic estimates place that fraction at 10 percent or less.

The authors of *The Bell Curve* neither discuss this latter finding nor contradict it with any independent work of their own. They do use the National Longitudinal Survey of Youth—a comprehensive set of data from a sample of thousands of people aged 27-34 in 1992—to analyze the effect of scores on the Armed Forces Qualification Test (which Herrnstein and Murray argue is a better measure of IQ than any IQ test) on a wide range of social outcomes, such as illegitimacy, crime, and marital status. These analyses are useful. But nowhere do the authors use the information in the data set about wages, annual earnings, and incomes to analyze the extent to which the AFQT test scores can explain variations in the key economic outcomes—earnings and income.

Because the authors of *The Bell Curve* did not use their data to examine how much of the variation in income could be explained by AFQT, we did. Our findings are consistent with past research. Considered alone, AFQT scores explain only about 15 percent of the differences among people's hourly earnings. Results for annual earnings and family income are similar. Even the authors of *The Bell Curve* do not claim that cognitive test scores can explain much more than 16 percent of the variation in people's job performance.

And even these results overstate the independent effect of AFQT scores on economic outcomes. Because of both heredity and environment, there is a positive—though far from one-to-one—relationship between a person's socioeconomic background and his or her IQ test scores. Failing to take differences in people's backgrounds into account when considering

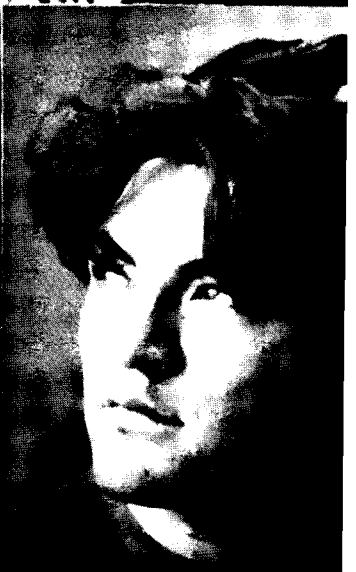
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Ring True?

**WILLIAM T. DICKENS,
THOMAS J. KANE,
AND CHARLES L. SCHULTZE**

**A CLOSER LOOK
AT A GRIM
PORTRAIT
OF AMERICAN
SOCIETY**



the correlation between AFQT scores and earnings credits AFQT scores with some of the differences in earnings due to such things as the influence of home environment on learning, or family connections that might help someone get into a better school or job. To deal with this problem, we used a statistical procedure that allows us to separate the effects of test scores on a person's income or earnings from a range of other influences on economic outcomes, such as parental education and occupation, number of siblings, place born and raised, and ethnicity. All these things affect a person's success but, obviously, are not themselves affected by his or her own test scores. Again, what we find accords with what past researchers have found: test scores explain about 10 percent of the differences in the hourly earnings, annual earnings, or family income of the young people in the NLSY in 1993.

The effect of IQ on economic differences among people reflects two aspects of the relation between test scores and success. First, people with higher IQs tend to earn more. Thus, *on average* the person with an IQ of 115 will earn about 30 percent more than the average person with an IQ of 100. That's a big premium. But the variation of individual experience around that general tendency is immense. For example, more than 40 percent of the people with the 15-point higher IQ will earn a premium greater than 50 percent, while 35 percent will earn less than the average for the population as a whole. Second, precisely because of that wide diversity, the proportion of the overall variations in income that can be explained by IQ is small. Thus, in the NLSY the average annual earnings of the 10 percent of people with the highest AFQT scores are 55 percent greater than the population average, while the earnings of the *richest* 10 percent are 200 percent higher.

Figure 1 shows the relation between AFQT scores and annual earnings in the NLSY. The black line shows how earnings were distributed among the young people surveyed. Many people are clustered around the average; the numbers gradually fall off as earnings go up, with only a few people at the very top. The red line shows how annual earnings would be distributed if everyone had the average AFQT score but otherwise continued to differ as they now do in all other ways. (That is, we added to or subtracted from each person's actual earnings the *expected* amount by which someone with his or her AFQT score had earnings different from the population mean.) The gray line reverses this calculation. It shows what the distribution of earnings would be if only AFQT mattered (we gave everyone the earnings expected for people with their AFQT score). If all that mattered was AFQT scores, U.S. society would clearly be very egalitarian. Eliminating differences due to IQ would have little effect on the overall level of inequality.

IQ as Economic Stratifier

If they make no use of the *direct* evidence on the importance of IQ in determining wages, earnings, and income, how do the authors of *The Bell Curve* conclude

that IQ is becoming the decisive force in stratifying Americans economically? They construct a circumstantial case. First, they assemble data showing that test scores that reflect cognitive ability have become far more important in determining who gets into college, especially highly prestigious colleges, than was the case earlier in this century.

Second, they estimate (and partly speculate) that an extremely high proportion of the 10 percent of U.S. workers with the highest IQs is now employed either as members of "high-IQ" occupations or as business executives. Earlier this century, most high-scoring high school graduates did not go to college and, they speculate, were scattered more randomly throughout the workforce, many of them in relatively average or lower-paying jobs, where their superior IQs were rewarded with far less income and prestige than is now the case.

If people with high IQs were once much less well rewarded relative to the average than they are now, it must have been for some combination of two reasons: they were less likely to hold the better-paying jobs, or income was distributed much more equally, so that the earnings gap between good and poor jobs was less than it is now. Little evidence supports the first possibility. The second is demonstrably false.

In the first place, as various authors (for example, Claudia Golden and Robert Margo) have shown, over the past 50 years the income premium for a college education has not risen steadily, but has fluctuated around a more or less stable level in percentage terms. Moreover, while top colleges today do stress test scores more than they once did, the number of years of education people are likely to acquire has been predictable from test scores with an unchanged degree of accuracy (or inaccuracy) ever since the early part of the century. Next, although the past two decades have seen growing income inequality, the trend follows a large *decline* in inequality in the 1940s and has simply restored the inequality of the prewar era. Similarly, according to Golden and Margo, wages paid "professionals," relative to the average wage, actually declined from 1940 to 1960. They then rose again in recent years.

There is evidence from several studies that in the past several decades the role of IQ test scores in determining economic success has increased. But IQ is still far from a dominant force in shaping the distribution of income. The evidence in no way warrants the view that its growing importance has drastically altered the nature of U.S. society.

Changing IQ Is One Thing, Changing Lives Another

Herrnstein and Murray conclude that public policies can do little to raise IQ. Given the important role they assign IQ in determining social outcomes, this implies a deep skepticism about the potential for compensatory education, training, and related policies to improve the lot of the disadvantaged. Moreover, they offer little hope that further experimentation with Head Start or even better programs could help, since "The main lessons to be learned have already been learned: It is tough to alter the environment for the development of general intellectual ability by anything short of adoption at birth." Even school dropout prevention is of dubious value. Herrnstein and Murray ask, "If somehow the government can



cajole or entice youths to stay in school for a few extra years, will their economic disadvantage . . . go away?” and answer, “We doubt it.”

As that answer starkly reveals, the authors’ deeply pessimistic conclusions are based on an excessively ambitious goal. To be worthwhile, social interventions need not make economic disadvantages “go away.” No program we know about will do so, and new miracle cures are unlikely. While some enthusiasts in the early days of the Great Society may have cherished hopes to the contrary, knowledgeable observers long ago became more realistic. Social interventions should not be judged on whether they “cure” the problem, but on whether they are likely to raise the earnings of the disadvantaged or otherwise improve their prospects enough to make the investment of government funds worthwhile. And a large body of research and program evaluation gives us the answer: some can, some can’t, and on some the jury is still out.

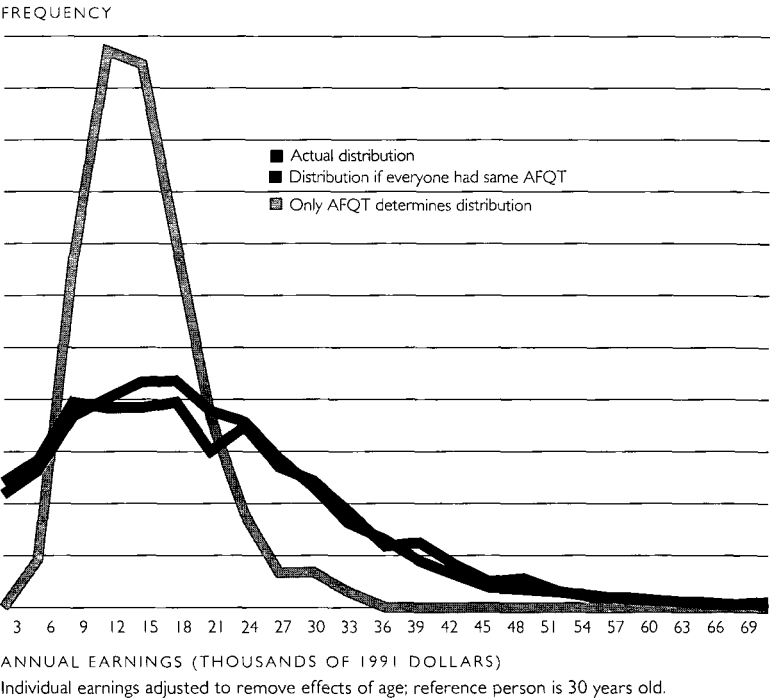
What about early childhood education, such as Head Start? Using Herrnstein and Murray’s most conservative estimate of the payoff to IQ, a single point in IQ is worth some \$232 a year in earnings (1994 dollars). Herrnstein and Murray cite a 1982 analysis by Irving Lazar and Richard Darlington of six early childhood education programs. The median IQ gain by children completing these programs was 8 points at the end of the program, declining to 3 points by fourth grade. Herrnstein and Murray dismiss these results as small. But how much would such a gain be worth later in life? Based on their own results, 3 IQ points would lead to a yearly earnings gain of \$696. With Head Start costing \$5,400 for each student, a \$696 increase in earnings each year over a person’s working life would represent a real rate of return on investment of more than 5 percent—greater than the average return to investing in bonds. Herrnstein and Murray correctly point out that the cognitive effects of early childhood education programs have not been large enough to erase the handicap of having been born to a disadvantaged family. But what appear to be small gains can, in fact, produce economically justifiable returns. And this is to say nothing of other reported gains, such as lower rates of teen pregnancy and higher rates of high school completion.

It also turns out that it is possible to do better than hazard guesses about the economic payoff to increasing the years of schooling for young people. Many states require students to attend school until a certain age. When combined with laws requiring children born later in the year to wait a year before starting school, these compulsory schooling laws generate differences in educational attainment for children born at different times of the year (students born late in the year reach the compulsory schooling age after having completed one fewer year in school). And these differences make it possible to identify the causal effect of education on earnings for those compelled to stay in school longer. In 1991 Joshua Angrist and Alan Krueger, using this “natural experiment,” found that those required to spend another year in school earn 7–10 percent more than those who are not—a payoff quite similar to the payoff per year of schooling noted by simply comparing the average earnings of people with different amounts of education. Apparently, “cajoling” would-be dropouts to remain in school *can* raise their earnings.

Education and training programs are not the only



Figure 1. Distribution of Earning



way to improve earnings prospects. A program to desegregate Chicago public housing nearly randomly assigned people to live either in poor inner-city housing or in apartments in well-off suburbs. A study later showed that those who moved to the suburbs were 25 percent more likely to be employed than those who stayed in the city, were less likely to drop out of school, and were twice as likely to attend college. Further evaluation of the potential for large-scale gains will be possible from the Department of Housing and Urban Development’s “Moving to Opportunities” program, which aims to open the door to improvements like this for many more people.

Herrnstein and Murray do not report on two decades of evaluations of government-sponsored employment and training programs that, while not showing dramatic turn-about in people’s lives, often find benefits greater than the costs. Examples include school dropout prevention programs, Job Corps, JTPA for adults, and several employment and training programs for welfare recipients.

Of course, not all investments in training and education are worthwhile. And, unlike the case with business investment decisions, markets cannot weed out bad social investments. But experimental evaluations can, if administrators and legislators act on them.

Discrimination Still Exists

Just as Herrnstein and Murray dismiss public intervention to aid the disadvantaged, they favor abandoning antidiscrimination law. While critics of *The Bell Curve* have focused on its claims about race, intelligence, and genes (see box), two other issues in the book having to do with race

and intelligence have received little discussion: the conclusion that black-white earnings differences are due solely to IQ difference and the argument that reverse discrimination exists in America's colleges. Yet both arguments are more important to the book's case against antidiscrimination law than any arguments about race and genetics.

To understand the evidence about black vs. white earnings it is crucial to distinguish wage rates from annual earnings, to separate males from females, and to differentiate blacks with high IQ and socioeconomic status from other blacks.

Herrnstein and Murray lump together men and women and find that blacks with the same IQ as whites are paid the same hourly rates. We analyze the same data in more detail and with much greater attention to specifying status of people's family background and find the following. *First*, employed black men have hourly rates of pay that are about equal to those of whites with the same observable characteristics, including family back-

ground, education, marital status and test scores; black women have higher wage rates than comparable white women, although lower than white men. *Second*, however, black men are less likely to have a job or to work full-time. In the case of the average black male, annual earnings are nearly 20 percent below those of comparable white males. Black females, while having lower annual earnings than white men, earn more than comparable white women. *Third*, black males

who are significantly above the black average with respect to IQ test scores, education, and family background have annual earnings much closer to those of comparable white males, and black women at the upper end of the scale appear to do better than their white counterparts.

Studies such as these, however, provide only weak evidence for or against the existence of discrimination. In the first place their results depend critically on just what measures of family background and other characteristics are used to determine who are "comparable" workers and job applicants. For example, June O'Neill, Derek Neal, and William Johnson analyze the same data, but when they do not include the extensive information on family background that we do, they find substantial differences between the wage rates of comparable black and white males, on the order of 10 percent. Second, the NLSY covers young workers, and the importance of the various determinants of earnings changes with age. Further, the effect of background on wages may reflect not only differences in job qualifications, but also discrimination against those with lower-class backgrounds.

Even more important, employers can know much more about someone than what we can know from the NLSY survey. Our data, for example, show only the number of years of school completed while an employer can find out which school a jobseeker attended and how good it is. Much more convincing evidence of continuing discrimination comes from audit studies, where carefully matched pairs of blacks and whites, men and women, or Hispanics and Anglos, apply for the same job. No study has found that minorities and

women are advantaged in the job market; nearly all show that they continue to be discriminated against. One Urban Institute study found that whites or Anglos were offered jobs half again as often as the blacks or Hispanics with whom they were matched.

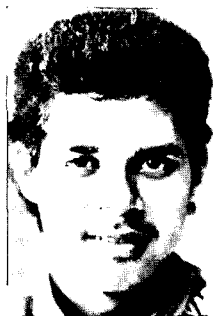
Herrnstein and Murray's claim that blacks score lower on tests than whites at the same college or in the same occupation also misses the point. They write as if they believed that test score differences of the size they find could only be the result of reverse discrimination. With some exceptions, however, those differences could be the result of race-blind processes that simply choose the best person for a given school or job.

Blacks, on average, score much lower than whites on standardized tests. If such tests were completely unrelated to performance, employers and colleges would ignore them, and the difference in test scores between blacks and whites at the same school or job would be the same as in the population as a whole. In fact test scores explain at most 10–25 percent of differences between people in job performance or success at school. Consequently, in groups of people chosen solely on the basis of ability, blacks and whites will have test scores more similar than blacks and whites in the population as a whole, but not much more. To reduce black-white differences in test scores to levels Herrnstein and Murray consider reasonable, colleges and employers would probably have to set *higher* standards for overall ability for blacks than for whites.

Although Herrnstein and Murray did not study college admissions decisions directly, we have. Our evidence suggests that there is indeed racial preference in admissions at elite colleges, but little or no evidence of such preferences at other institutions—where 86 percent of the college population is to be found. Further, we find little evidence that racial preferences in admissions lead to higher dropout rates for blacks as some have contended. A debate about the use of race in admission decisions would be healthy, but it must be based on a more careful reading of the evidence.

Unwarranted Pessimism

While most criticism of *The Bell Curve* has focused on the authors' claim that racial differences in IQ test scores are, in part, genetic, many of the book's most important claims have escaped scrutiny. They shouldn't. The book's basic premise—that IQ is becoming the decisive force in determining economic rewards and social position—is demonstrably false. Herrnstein and Murray's evidence on the difference between black and white test scores in various occupations does not show what they imply it does—massive reverse discrimination. In fact, their own evidence showing blacks and whites with the same test scores earn the same wages contradicts such a claim. Further, differences between blacks and whites in annual earnings, and the employment discrimination revealed in employment audits, suggest that blacks continue to be disadvantaged in the labor market. Because the authors sharply exaggerate the importance of IQ, the book is excessively pessimistic about the potential role of carefully selected government programs in improving the lives of the disadvantaged. In all the controversy over the authors' claims about race and intelligence, these points should not get lost. ■



Racial Differences Need Not Reflect Genetic Differences

Of all the controversial claims about race and intelligence in *The Bell Curve*, the one that has been at the center of the fire storm is the claim that "...both genes and the environment have something to do with racial differences." Herrnstein and Murray are "agnostic" on the relative importance of nature vs. nurture, but find it "implausible" that environmental differences can be large enough to explain all racial differences in IQ test scores. They conclude that "those who believe that ethnic differences are readily explained by environmental differences haven't been tough-minded enough about their own arguments."

To make this case, Herrnstein and Murray borrow an argument from educational psychologist Arthur Jensen of the University of California at Berkeley. Whites who have the same IQ test scores as the average black person are at about the 34th percentile of the white population. But ample evidence attests that, among whites, environmental differences such as family background and neighborhood influences can account for only part of the observed differences in IQ—Herrnstein and Murray cite 40 percent as a mid-range estimate. Thus, for environmental conditions to place a white person as low as the 34th percentile, that person's environment would have to be extremely poor. To the extent that black IQs are influenced by the same kind of environmental factors as whites—and those would include such intangibles as self-esteem that are affected by race discrimination—the environment in which the average black is raised would have to be as poor as that of the bottom 10 percent of whites. As Jensen points out, no observable differences between blacks' and whites' backgrounds are that large, so how could the entire difference be due to environment?

Compelling as this argument seems logically, evidence is accumulating that it is flawed. Herrnstein and Murray discuss a post-World War II survey showing that illegitimate children fathered by black and white U.S. servicemen in occupied Germany have the same IQs, even though, as James Flynn has shown through a variety of indirect evidence, the IQ scores of the black and white fathers differed as much as the scores of blacks and whites in the U.S. population.

As Herrnstein and Murray also note, Flynn has documented huge increases in measured IQ over periods of time far too short for them to be explained by changes in the gene pool. Changes as big as the 15-point black-white difference have occurred in many places

around the world, including the United States, in as little as 20–60 years. These differences—clearly environmental—seriously challenge Jensen's argument.

Similarly, whites living in different states in the United States have large differences in IQ. In fact, the difference in AFQT scores between whites in the highest and lowest state is a substantial fraction of the difference between blacks and whites. The mobility of the white population makes it hard to believe that these differences could be in any large part genetic.

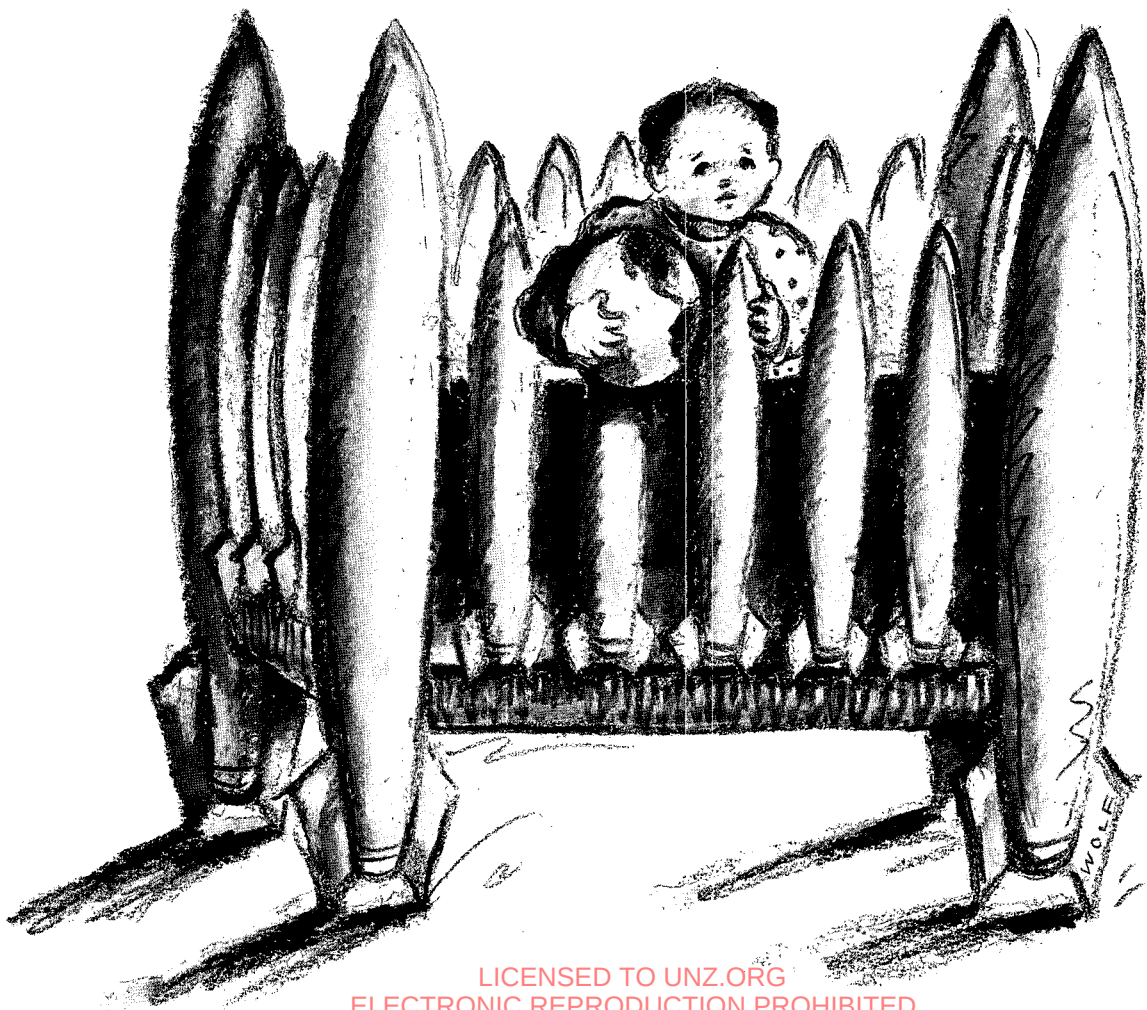
It is clear from these three examples that something is wrong with Jensen's argument. Either the estimates of the importance of environment within the white population are understated, or something is wrong with the basic logic of the argument. Flynn argues convincingly that estimates of the role of environment near Herrnstein and Murray's "upper bound" (60 percent) are more plausible than lower estimates, but this still leaves a larger gap between black and white IQ scores than can be explained by any single identifiable environmental factor. The fallacy in this argument may be the search for a single factor. The probability of any single coin toss coming up heads is .5, but the probability of five coin tosses in a row coming up heads is about .03. While blacks on average may not seem terribly disadvantaged relative to whites in any one dimension, they are disadvantaged in nearly all dimensions that we think matter. Thus for any one of those things that determine the ability to score well on IQ tests, blacks may be no more disadvantaged than a white down at the 30th percentile of the white distribution or even higher. But taking all the determinants together, the average black may be down at the 10th percentile of the nationwide distribution of the overall effects of environment in the white population.

In fact, two studies, one by Jeanne Brooks-Gunn and another by Jonathan Crane, show that it is possible to explain statistically all black-white differences in test scores by combining the effects of differences on many dimensions of detailed evaluations of the quality of the home environment. Herrnstein and Murray are correct when they point out that environmental differences may be due to parents' IQ and that therefore these studies don't prove environmental differences cause the differences between the races. But the studies do show that when many environmental factors are considered together they may well be capable of explaining the differences.

Fearsome Security

THE ROLE OF
NUCLEAR WEAPONS

MICHAEL M. MAY



A Hiroshima-size nuclear bomb would be about a thousand times as destructive as the Oklahoma City truckload of explosives that destroyed a large modern building and killed nearly 200 people. It could destroy about one square mile of the city, an area roughly 20 by 20 blocks, and kill perhaps 200,000 people, the destruction depending on such things as building construction and weather. A typical thermonuclear weapon, of which there are many in the weapon states' arsenals today, could destroy several square miles of a large city and kill as many as a million people. Either kind could destroy a large air base and everything on it, a large tank attack, or an aircraft carrier.

What is the role of these things? What does the United States need them for? What does anybody need them for?

The official U.S. answer, given last fall by Clinton administration spokesmen, is somewhat informally translated, "We're not sure, but there are a lot of nuclear weapons in Russian and other hands, there is a lot of unrest in the world, so we'll reduce the numbers gradually, in tandem with the Russians, and try to contain proliferation, but still keep several thousand around just in case." This position has been criticized as lacking vision. Much more fashionable in intellectual and academic circles has been a debate between abolitionists, who want to do away with nuclear weapons as soon as possible, and "marginalizers," who want to keep a few around but at the edge of polite policy discussion, unseen and unheard from, except in connection with the occasional rogue and pariah state.

However out of fashion, the U.S. position is right, and the abolitionists and marginalizers are wrong. But defending the U.S. position requires more unpalatable arguments than administration spokesmen could use, especially a few months before the recently concluded nuclear Non-Proliferation Treaty extension conference took place this spring.

Peace—The Essential Security Interest

The most basic argument is that nuclear weapons (and only they) transform peace among the most powerful states in the world from something that is nice to have but secondary to essential security interests as seen by governments, into the essential security interest of governments and governed alike. It does this at some risk of potential catastrophe. If we were in a world of stable states with no rival territorial and other interests that could not be dealt with by empowered and respected international institutions, this risk would be the main matter, and marginalization of nuclear weapons would indeed be in order. But we are not.

Contrary to what many wish, the states of the world are not becoming law-abiding citizens of one world, at least not in essential security matters. In such matters, the United States, as do other states, relies ultimately on its own forces, for the good and sufficient reason that there is nothing else reliable around. As a result, traditional security-oriented behavior abounds today. What is going on in Central Europe, in East

Asia, in the Middle East would be familiar to Metternich and Bismarck. This is not to deny that our world is in many respects different from theirs, in particular that it is interactive, reactive, and interdependent as never before. But it is insecure now in much the ways it was then. And now, as then, having the most powerful weapons and deterrent plays an essential role in attaining the number one security policy objective of the United States, which is to preserve our central interests abroad without involving us in war.

Nuclear weapons are not all that is needed to make war obsolete, but they have no real substitute. Modern weapons such as those used in the Gulf War promise victory to the side that has them and leave the other side eager to build or buy them. Students of international politics have long noted this security dilemma: in the measure that a states' search for security through conventional armaments and alliances is successful, it makes its neighbors and rivals insecure and leads to wars that may be disastrous for everyone. To make things worse, unscrupulous politicians maintain themselves in power by preying on and exacerbating these longstanding fears among neighbors, as we now see tragically around the globe. Gulf War weaponry offers nothing new in this regard.

Nuclear weapons do something different. They cheaply and predictably destroy whatever both sides are fighting for. It is just that ability to destroy the battlefield as well as the enemy, to leave war without winners, that makes them essential. Abolitionists and marginalizers have nothing realistic to offer to replace them in that role.

War Is Not Obsolete

But surely war is over among advanced industrialized nations, whose prosperity and very survival rests on the maintenance of peace among themselves? Unfortunately, there is no sign that the forces that led to the most disastrous wars in the past are spent.

The world balance of military power (a consequence, among other things, of the balance of economic power), is changing and will continue to change. Reasonably or not, that makes other powers insecure. World War I and World War II were the way the major and most civilized powers in the world handled the changing balance of power occasioned by the growth of Germany and Japan in relation to the others. It need not have happened that way. It shouldn't have happened that way. As early as 1913, thoughtful people pointed out that Europe was so interdependent economically that war would destroy it and that war was therefore obsolete. They were right about the first observation and wrong about the second. Why?

Most popular analyses of these wars, especially now, on the 50th anniversary of our victory in World War II, focus on who was right and who was wrong, on the fanatical or evil groups who were the more obvious sources of the catastrophes. But that is like focusing on the match and not on the tinder. It is good drama but poor analysis. Why did a few such leaders have the power to send tens of millions to their death? Why was the system, staffed for the

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Winston Churchill warned at
the beginning of the atomic age that
safety could be the sturdy child of terror,
and that we should not give up atomic
weapons until we were sure and doubly
sure that we had something better
to take the place of terror in that respect.



most part, then as now, with ordinary, not particularly incompetent or evil men, unable to handle their challenge?

The answers are the stuff of international relations libraries, but at the very heart is the security dilemma noted above: so long as security depends ultimately on rival goods, goods that have to be competed for, such as territory, alliances, access to scarce resources, then more security for one state will mean ultimately less for the other. Maintaining a peaceful balance would be to everyone's advantage, at least for advanced nations no longer bent on acquiring virgin lands for plunder. But that makes peace a public good. Like all public goods, it requires an agreed-on authority able to coerce rebels and free-riders into supporting it if it is to be provided. Reason alone has never been enough: to be the last state to defect is just too dangerous.

There was no such authority earlier this century. Is there one today? The United Nations Security Council? The International Court of Justice? Maybe someday, but not this century or perhaps the next. When have we or any other major nation submitted to these institutions when our central, or sometimes even our peripheral, interests were involved?

What we are seeing instead is the major powers of the world, the United States, Russia, China, Japan, the European Union, mixing universalist global or regional initiatives with the carving out of spheres of influence in much the same way their predecessors on the world stage did. Spheres of influence no longer involve gunboats and marching armies most of the time—though sometimes they still do. Usually they involve such things as supplier-client relationships in arms and nuclear fuel, alliances and stationing of troops abroad, rule-writing in international agreements, and support in negotiations with rival powers.

The major security questions of the day are all handled with considerable attention to this traditional concern: the expansion of NATO; the tip-toeing around Serb aggression; Russia's policy in its "near-abroad," a balance of power term if ever there was one; China's policy in the South China Sea; continuing U.S. willingness to pay with blood and money to keep its suzerainty over Latin America and the Gulf States; China's blocking of UN sanctions in North Korea, sanctions that would have increased U.S. influence on the peninsula and decreased the value of Chinese security guarantees; Russia's and China's offer of nuclear help to Iran.

Even nuclear nonproliferation policies, which contain an element of universalist values, reflect this attempt to acquire or augment spheres of influence. How explain otherwise China's relative unconcern about a nuclear North Korea or Russia's about a nuclear Iran? Nuclear weapons in the hands of these countries would mainly limit U.S. power projections in the area, which necessarily depend on such concentrated and therefore vulnerable military assets as air bases, ports, and aircraft carriers. They would do relatively little to limit the influence of the big near-neighbors.

A Perilous Balancing Act

None of this makes the states involved evil. All of it is understandable. But it is dangerous. It is fraught with risks of escalation, whether owing to the accession to power of leaders who stake their political future on extremist or irredentist positions, or owing to perfectly well-meaning and ordinary leaders finding themselves in a corner none of them predicted or can deal with.

It also has the consequence that a number of states are less secure now than they were during the Cold War. The Cold War carried with it oppression and suffering, but it provided a stable security framework for many states located in traditionally troubled areas—traditionally troubled because in between, or of interest to, multiple larger states. These states are now having to look to new arrangements for their security. Some will find it in reliable alliances with larger powers, some will not. The latter are good candidates to look to nuclear weapons for their security, especially if, as is the case for Iran and North Korea, they are isolated from much of the world community.

We are told by abolitionists and marginalizers that the main threat to the United States are these isolated states, that nuclear weapons are not otherwise relevant to our security situation, and that therefore now is a good time to give them up or marginalize them. If marginalizing carries the somewhat trivial meaning of not talking about the nuclear balance constantly, of not measuring our security solely by that balance, that is a good idea and would have been a good idea during the Cold War. It might have allowed us to see something other than a monolithic threat in the Soviet Union. But if marginalizing means not paying careful attention to the influence of nuclear weapons on the security situation of various states, including us, it is a bad idea.

Nuclear weapons do not of themselves create the authority to provide and maintain peace, but they impose a penalty, obvious to all, not least to volatile democratic electorates, for overlooking this truth. Thereby, they have and will continue to have a profound influence on our security. They will do so in at least two ways: they will continue to put a considerable premium on caution when one nuclear state deals with another in matters either or both consider central, and, partly as a result, they will continue to tend to freeze lines of demarcations between spheres of influence where these lines matter to either or both of the contending major states.

Thus, in Central Europe, in East Asia, in the Middle East, not only do local powers have a strong incentive not to get caught in some euphemistically-called “buffer zone,” but also the major powers are equally strongly impelled to make sure there is no misunderstanding about who gets to do what where. As a result, for the next several years, possibly decades, we are going to witness again a definition and consolidation of spheres of influence that will remain irreversible until some cataclysmic change, such as recently rocked the former Soviet Union, takes place in one of the major powers. Reversing it by force otherwise would be too dangerous to attempt.

The Czechs, Hungarians, and Poles are thus perfectly right to press for early incorporation into NATO and the EU. They have only a limited time window, while Russia cannot press its demands too forcibly. The United States may think it is pressuring the present Iranian regime to behave somewhat more acceptably. Instead, it may be giving up Iran to Russian influence for a long time to come. And the *New York Times* is wrong to press for recognition of Taiwanese independence on ideological grounds: China has said it would go to war to prevent Taiwanese independence, and we will not go to war to bring it about. Taiwan is on the Chinese side of the divide, as Ukraine is on the Russian side. These sides exist, however we may dislike it.

Millennial Hopes Deferred

All this makes unpleasant reading. It is not the brave new world of international commerce and cooperative endeavors for solving global problems. That new world is indeed here, and, on most days, occupies and will continue to occupy the attention of governments and political commentators and analysts. But that world will also continue to bring out conflicting interests, and these interests will continue to be pursued by independent states with the full political backing of their populations. The ultimate limit on this pursuit will be the fear of nuclear escalation, not some supranational law.

Nuclear deterrence is thus a fact of modern life. It is inherent in the technology. The only question is how it will be handled. My guess is that it will not be handled better if the United States backs out of the job of deterrence. And it will not be handled better if, by some unlikely chance, everyone were to back out of the job of deterrence, and the task of implementing it were left to some future government in an emergency situation scurrying to resurrect the caution-inducing deterrent it once had. Peacetime is the right time to maintain the deterrent and to formulate how we will deal with it.

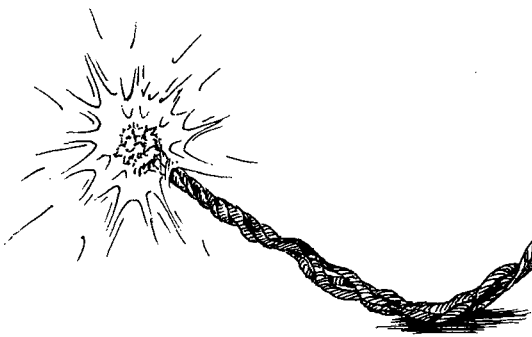
Thus, not only is abolition impossible under present circumstances, it would be a mistake even if it were possible. And marginalization is meaningless: nuclear weapons do not and should not enter daily calculations but do and should enter calculations of ultimate security. Deterrence was far stronger and more stable in the last 50 years than most lay commentators thought. Conversely, perhaps because it worked so well, many are now willing to give it up. But people should not give up fire insurance because fires have been rare, although it is reasonable to look for lower premiums and to work on less risky means of fire containment.

We don't, however, have these less risky means. Winston Churchill is not particularly in favor these days. But Churchill, whatever his failings, understood what led to war. He warned at the beginning of the atomic age that safety could be the sturdy child of terror, and that we should not give up atomic weapons until we were sure and doubly sure that we had something better to take the place of terror in that respect. Look around: we have nothing better to take its place. ■

Bruce G. Blair

LENGTHENING THE FUSE

Global Zero Alert for Nuclear Forces



During the Cold War a massive array of opposing Soviet and U.S. nuclear forces stood ready for launch on a moment's notice. In accord with the perceived needs of deterrence, strategic and tactical nuclear weapons were scattered around the globe, carried by a host of ground, sea, and airborne delivery systems, and primed to inflict instant apocalyptic devastation in retaliation against any nuclear aggressor.

Today, the ideological tensions of the Cold War have dissolved, the urgency of the need for deterrence has diminished, and the Russian and U.S. nuclear arsenals are smaller. Yet thousands of warheads on both sides remain on hair-trigger alert. And, by a bitter irony, the geopolitical revolution that defused the Cold War confrontation has posed a chilling new nuclear danger—loss of control. In an atmosphere of political turbulence and economic duress, Russia must now oversee the far-flung nuclear weaponry of the Soviet Union, much of it still ready for instant launch. The possibilities for nuclear anarchy are many—from unauthorized use of weapons by rebellious commanders in the field, to political breakdown in Moscow, to a spread of nuclear weaponry and material onto the global black market.

But dangerous as these scenarios are, an effective and realistic solution exists: an international

agreement to take all nuclear weapons off hair-trigger alert, remove warheads or other vital components from the weapons delivery systems, and institute monitoring arrangements to verify compliance. Such an agreement would drastically reduce the risk of a catastrophic failure of nuclear control. But it would also require nuclear planners to back away from their traditional focus on deterrence—and to make a commitment to safety instead.

Safety Always Came Second

The vast nuclear arsenals maintained by the superpowers during the Cold War were a product, of course, of deep political and ideological antagonisms. But they were also a product of the adversaries' commitment to deterrence, their faith that rational decisionmakers would refrain from striking first if they knew an opponent could retaliate with devastating effect. War was to be prevented by ensuring that each of the opposing forces was capable of retaliation destructive enough and credible enough to override any potential gain from striking first. The two defense establishments deployed forces capable of retaliating against tens of thousands of enemy targets—and to do so in the moments between enemy missile lift-off and arrival.

In all this, deterrence came first. Safety came second. Not that safety's importance was lost on the rival strategic

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organizations. After all, neither would likely have survived the political repercussions of a major failure in safety. Much of their mundane activity revolved around safety during peacetime. They strove to prevent the accidental, inadvertent, or unauthorized detonation of even a single weapon. Nuclear weapons received continuous scrutiny, augmented on occasion by high-level special investigations, to identify safety hazards and remedies. Both sides evolved sophisticated weapon design principles and operational procedures to preserve effective control. On the essential point—nuclear detonation—the record was perfect. On lesser but still critical points—notably, nuclear accidents resulting in the dispersal of toxic plutonium—it was nearly perfect.

That deterrence took precedence over safety is nonetheless demonstrable. If safety had been a governing influence at the planning level, the strategic deployments would not have been so large, so dispersed, and so geared to rapid use. At the design and daily operational level, too, trade-offs between safety and deterrence were regularly resolved in favor of deterrence. For example, locks to prevent low-level U.S. weapons commanders from firing strategic forces were not installed on heavy bombers until the early 1970s, on intercontinental ballistic missiles until the late 1970s. And they were installed only after a finding that they would not impede the wartime retaliatory mission. They were never installed on ballistic missile submarines because of fears that they would jeopardize the ability of submarine crews to carry out authorized launches. And although the missile propellants used in Trident and M-X missiles, as well as the

conventional explosives used in Trident warheads, are relatively susceptible to accidental detonation, safety requirements were waived for the sake of wartime performance.

Changing Perspectives

Despite history's abrupt change of course with the end of the Cold War, the established practice of deterrence, with all its inherent danger, remains unchanged. Despite the rollback of the nuclear arsenals set in motion by the Strategic Arms Reduction treaties, nuclear policy and force deployment on both sides are still directed toward deterring deliberate attack. The nuclear confrontation is thus being sustained by a dubious rationale that sustains hair-trigger postures that undercut safety.

In key respects both the U.S. and Russian nuclear portfolios are actually being enlarged. Russia, for example, has dropped nuclear "no-first-use" policy from its new military doctrine and expanded the role of nuclear forces to compensate for the sharp decline in its conventional strength. The United States also appears reluctant to lower further its nuclear profile, despite the evaporation of the primary threat justifying nuclear vigilance during the Cold War: Soviet invasion of Western Europe. The United States now projects conventional superiority over all prospective adversaries and thus can rely more on conventional and less on nuclear forces. Accordingly, further reciprocal nuclear reductions would be beneficial. Yet the U.S. security establishment seems content with the numbers allowed under START II and shows little interest in another round of reductions.

Prompting that reluctance are fears that Russia may revert to authoritarian rule and revive nuclear hostility toward the West. Despite the grim outlook for the rejuvenation of Russia's economy and the projected steep decline in its defense spending for the next decade or more, uncertainty about the Kremlin's attitudes toward the outside world has assumed critical importance in U.S. estimations of the future nuclear threat and in planning U.S. nuclear posture through at least 2005. The Pentagon strongly supports the traditional U.S. strategic mission as an insurance policy. As Defense Secretary William Perry put it in the 1994 Defense Department annual report, "these Cold War tools of nuclear deterrence remain necessary to hedge against a resurgent Russian threat."

U.S. nuclear planners also envisage new missions tied loosely to contingencies in the third world. Although the Pentagon plans to use conventional weapons in dealing with weapons of mass destruction brandished by third-world states, U.S. nuclear forces will doubtless play a major retaliatory and deterrent role. The U.S. Air Force is identifying targets in third-world nations that are developing weapons of mass destruction—chemical, biological, and nuclear. And the U.S.

Strategic Command has assumed major responsibility for planning both nuclear and non-nuclear strikes against these targets, whose numbers could easily reach many hundreds and might approach a thousand.

China will also figure more prominently in the global strategic balance as it modernizes its ballistic missile forces. Any significant increase in the nuclear threat China projects at the United States may well prompt a review of U.S. nuclear planning, particularly the decision in the early 1980s to remove China from the U.S. strategic war plan.

Like the United States and Russia, other charter nuclear states are also disposed to invoke deterrence to justify aggressive alert operations. Britain and France seem committed to maintain a large portion of their nuclear forces on active alert, while China's extensive program of strategic

modernization could bring its ballistic missile forces to a comparable level of combat readiness. Other states such as India, Pakistan, and Israel appear heading down the same path. In spite of strenuous international efforts to deny membership in the nuclear club, *de facto* and aspiring members not only have nuclear weapons programs but also surely have plans if not current capabilities for “weaponization”—mating nuclear warheads with dispersed delivery vehicles capable of rapid use. Intentions and technical progress are difficult to gauge, but the general picture is clear enough and does not bode well.

The proliferation of advanced aircraft and ballistic missiles with increasing range and accuracy certainly expands delivery options. In the name of deterrence, emerging nuclear states can be expected to equip, or prepare to equip quickly, these delivery systems with nuclear weapons from their stockpile. And the decision by the United States, Russia, Great Britain, and France to preserve rapid reaction postures sets an international standard that encourages emulation. Moreover, if the history of the nuclear superpowers is a reliable guide, and the classical dilemmas of nuclear security come to bear strongly on regional dynamics, regional rivals will be induced to shorten the fuses on their arsenals.

Absent effective international constraints, the standards for daily combat readiness seem destined to rise.

Safety First?

There can no longer be any justification for putting operational safety second. Not only is deterring a deliberate nuclear attack a less demanding challenge today than it was during the Cold War; ensuring safety has become more demanding. The disintegration of the former Soviet

Union and the dangers emerging from the attendant turmoil make loss of control the central problem of nuclear security. Indeed, the specter of nuclear anarchy in the former Soviet Union animates U.S.

policy toward Russia and drives U.S. support for the Yeltsin government and Russia's fledgling democratic institutions. Nor are weaknesses in nuclear control confined to the former Soviet Union. Lacking sophisticated systems for safely managing their arsenals, the aspiring nuclear weapon states also face problems of control. And while deliberate nuclear aggression growing out of regional tensions in areas like South Asia, the Korean peninsula, the Middle East, and other potential hot spots is conceivable, the specter of a catastrophic failure of nuclear command and control looms even larger.

If safety is to become the paramount goal of nuclear security policy, the operational stance of the world's nuclear forces—in particular, their high combat readiness—will have to change. The major defense establishments must lower their alert levels and coax the rest of the world to follow suit.

To de-alert the bomber forces, bomber payloads would be moved to storage facilities far away from the bombers'

home bases. The retrieval and uploading of the payloads would require elaborate, time-consuming, and observable procedures. Similarly, warheads (or other vital components such as guidance sets) would be removed from land-based missiles and put in storage—a standard Soviet practice for all land-based strategic forces until the late 1960s. Although warheads could also be removed from ballistic missile submarines (SSBNs), an attractive alternative is to take guidance sets off the sea-based missiles and place them in storage on board attack submarines (SSNs) deployed at sea. Under routine practices, the components would remain separated at all times and invulnerable to attack. If necessary during a nuclear crisis, the SSBNs and SSNs could rendezvous and quickly transfer the guidance sets. The SSBNs could then install the components on all missiles in about 24 hours.

We should strive to further lengthen the fuse on all nuclear forces, extending the time needed to bring them to launch-ready status to weeks, months, and ultimately years.

Taking all nuclear weapons off alert—adopting a stance of universal “zero alert” in which *no* weapons were poised for immediate launch—would not only create a strict international standard of safety for daily alert, but also ease nuclear tensions by removing the threat of sudden deliberate attack. Certainly, a surprise or short-notice nuclear strike by any of the major nuclear

powers is already implausible. But because all of them except China can

mount a strike with ease, their strategic nuclear forces, particularly those of the United States and Russia, maintain a daily posture of rapid reaction to deter it. A remote, hypothetical scenario thus induces alert operations that feed on themselves. Although designed only to deter, the operations confer the ability either to strike back in retaliation or to initiate a sudden attack. The opposing forces create and perpetuate the very threat they seek to thwart.

In fact, an internationally monitored agreement to remove all nuclear weapons from active alert status could serve much the same purpose as traditional deterrence. Any initial preparations to restore alert status prior to attack would be detected and disclosed by monitors, allowing for counterbalancing responses, thereby denying a decisive preemptive advantage to any side contemplating redeployment and sneak attack.

Zero alert would thus eliminate the technical pretext for sustaining tense nuclear vigils in the post-Cold War era. Besides improving safety, it would relax the nuclear

stances, bringing them into harmony with improved political relations.

Overcoming Inertia

Left to themselves, the nuclear establishments will never adopt a zero alert posture. The bureaucracies that created the standard practices of deterrence cannot be expected to put safety before deterrence.

Typical arms negotiations, for example, have little scope for reining in aggressive alert practices. Even with the low ceilings on strategic nuclear arsenals imposed by START II at the turn of the century, the nuclear superpowers could

still keep thousands of warheads poised for immediate release. The nuclear control systems that regulate force

operations are still generally peripheral to mainstream arms control. If arms control were to proceed as usual, the numbers of weapons would continue to drop, but their reaction time would not change. The last weapon in the arsenal would still be cocked on hair-trigger alert.

The U.S. defense establishment is aware of the danger of nuclear anarchy. Recognizing the unstable and transitional character of the Russian political center, the Pentagon has quietly initiated extensive military-to-military contacts to nurture durable cooperation between the U.S. and Russian

military establishments. It has also conducted exercises to practice U.S. responses to nuclear anarchy in Russia, including scenarios that feature illicit strategic strikes by Russian commanders. Furthermore, U.S. strategic war planners are devising options that allow selective nuclear strikes against breakaway units of the Russian nuclear forces as a last resort to neutralize such units. The Pentagon is also spearheading an effort to assist Russia in dismantling its nuclear arms, an endeavor it portrays as an urgent priority of U.S. national security.

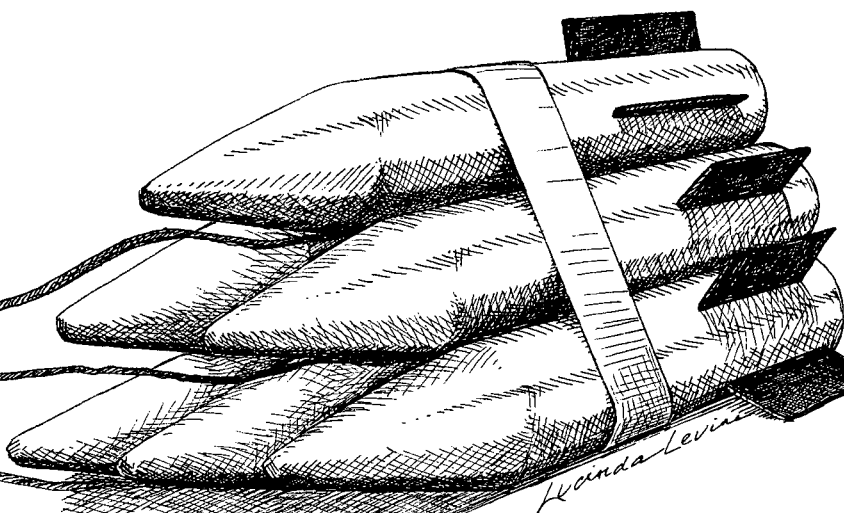
Taken to its logical conclusion, this policy thrust would lead the Pentagon to make bold operational changes, including some form of zero alert, to ensure the safety of nuclear weapons in the former Soviet Union and elsewhere. Yet the Pentagon's overriding commitment remains deterring Russian nuclear aggression.

The review of the U.S. nuclear posture completed last September exemplifies the Pentagon's parochial perspective. The review advocates aggressive hedging against a turn for the worse in U.S.-Russian relations. It ignores the safety hazards that persist or grow as a result of aggressive hedging. It advances a U.S. nuclear force structure and operational posture that will reinforce Russia's reliance on quick launch. From the standpoint of operational safety, Russia's nuclear posture is more dangerous today than it was during the Cold War. And current U.S. nuclear planning will likely induce Russia to take yet *more* operational risks to buttress deterrence.

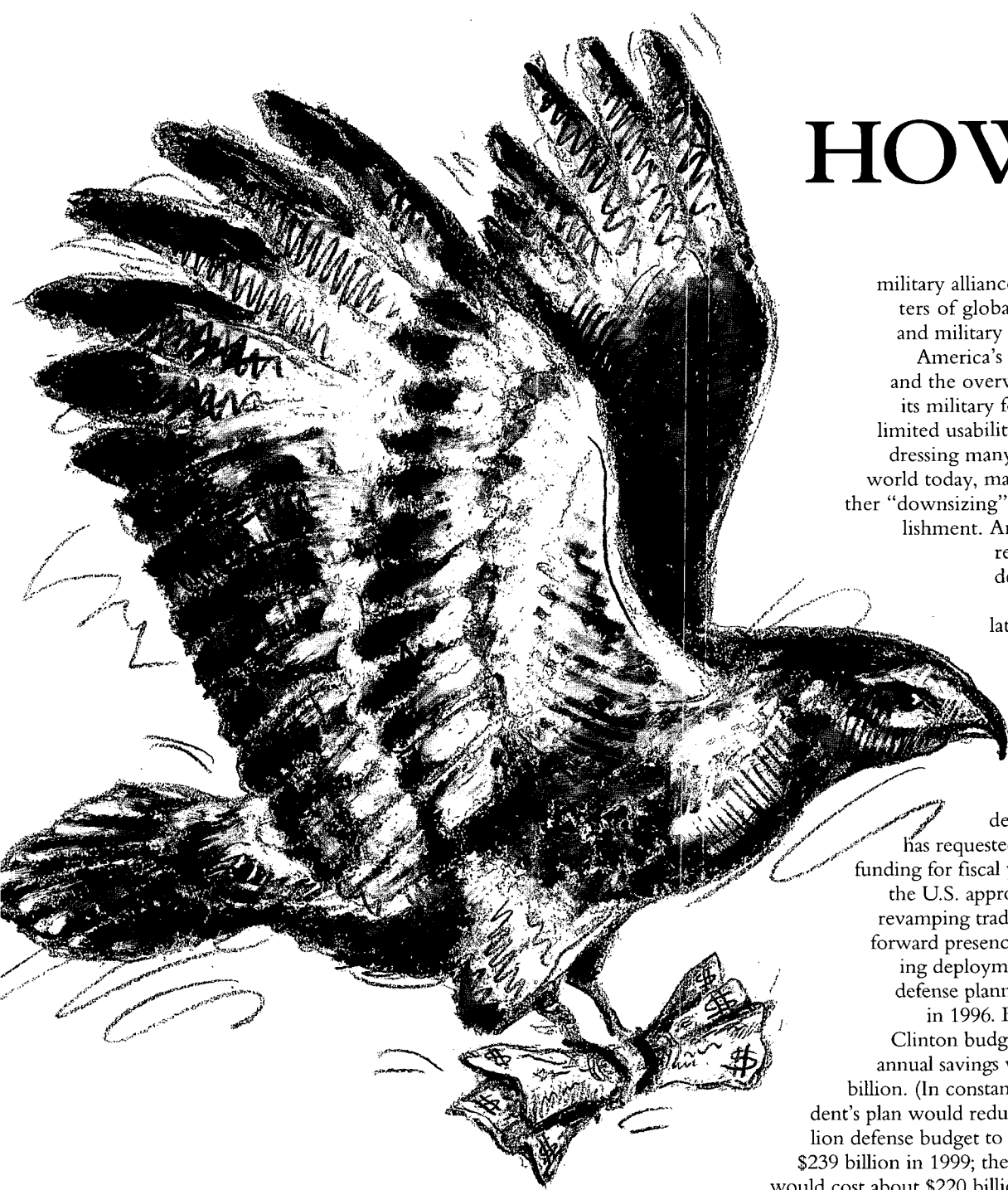
The Pentagon has so internalized deterrence as the essence of its mission that it simply cannot bring the two different conceptions of nuclear threat—the risk of deliberate attack and the danger of loss of control—into clear focus and perspective. At the height of the Cold War nuclear planners could argue, with some justification, that the danger of deliberate attack necessitated putting safety second. Today they cannot.

Redirecting nuclear policy toward an emphasis on safety not only addresses the danger of nuclear anarchy but would also constrain the ability of any state to launch a sudden nuclear attack. But if safety is ever to be put first in U.S. nuclear planning, it will be because public discussion and broad public support—not the Pentagon—put it there. ■

**From the standpoint of operational safety,
Russia's nuclear posture is more dangerous
today than it was during the Cold War.**



HOW TO



MICHAEL
O'HANLON

The strategic position of the United States today is outstanding. Not only does the world's sole superpower turn out 25 percent of global economic production, enjoy the natural defensive shields of the Atlantic and Pacific oceans, possess a nuclear deterrent, and, despite growing economic interdependence with other countries, retain nearly all the basic ingredients for sustaining an advanced industrial economy on its own. It also is allied with most of the rest of the world's major industrial and economic centers, notably Japan and Western Europe. The Western political and

military alliance represents three-quarters of global economic production and military spending.

America's strong strategic position and the overwhelming dominance of its military forces, together with the limited usability of those forces for addressing many types of conflict in the world today, make a strong case for further "downsizing" the U.S. military establishment. And the ongoing effort to

reduce the federal budget deficit makes it nearly inevitable that, sooner or later, further defense budget cuts will be made.

House Speaker Newt Gingrich signaled as much when he coined the phrase "cheap hawk" to describe his views on

defense. President Clinton has requested \$258 billion in defense funding for fiscal year 1996. By modifying the U.S. approach to regional warfare, revamping traditional naval and Marine forward presence operations, and recasting deployment of nuclear warheads, defense planners could save \$2 billion in 1996. By 1999, when projected Clinton budgets grow to \$265 billion, annual savings would be more than \$20 billion. (In constant 1995 dollars, the president's plan would reduce the current \$264 billion defense budget to \$250 billion in 1996 and \$239 billion in 1999; the alternative laid out here would cost about \$220 billion a year by 1999.) Such cuts would represent only half of defense's "fair share" of a budget balancing plan that cuts all federal spending by an equal proportion.

Regional War

Under Clinton's proposal, the size and shape of most of the U.S. force structure is driven by the proclaimed need to conduct two Desert-Storm-like operations simultaneously, probably in Korea and Southwest Asia. But Desert Storm—in which a huge 550,000-person U.S. force led a coalition effort to retake Kuwait from Iraq—is not the ideal model for regional warfare. As an ancient military precept reminds us, defending land is easier than retaking it once lost. Instead of Desert Storm, security planners should try to draw lessons from Desert Shield—the initial 200,000-person deployment to defend Saudi Arabia. By focusing on rapid responsiveness and deterrence, U.S.

BE A “CHEAP HAWK”

forces could be scaled back significantly without sacrificing effectiveness. Such a strategy would enable the U.S. military to handle two large-scale crises or conflicts at once and still play a key role in a major peace enforcement operation if necessary.

Countries challenge U.S. interests in regional conflicts not because they believe they can defeat the United States in major high-intensity warfare, but because they consider a U.S. response unlikely or think they can wear down U.S. resolve. War broke out in Korea (in 1950) and in the Persian Gulf (in 1990) after remarks by American policymakers—Dean Acheson and April Glaspie—appeared to signal a lack of U.S. concern about what might transpire. Today the U.S. commitment to defend the South Korean, Saudi, and Kuwaiti states against attack can hardly be questioned. It has been demonstrated by the shedding of American blood and is sustained by the permanent presence of U.S. forces in each region. Nor can the willingness of any of those countries to accept U.S. assistance in defending their territories be doubted any longer.

Further strengthening deterrence, the Clinton administration is already moving toward a strategy of rapid responsiveness. It is prepositioning more supplies and equipment in the two theaters of acute concern, and it set a benchmark last fall for resolve and decisiveness in responding to Iraqi troop movements near Kuwait. With yet more prepositioning, as well as more large aircraft to move people and supplies and refuel fighter aircraft deploying to a crisis, U.S. forces could be in position to target any aggressive enemy armored forces during initial movements while they were most vulnerable. World leaders who witnessed Desert Storm would not be likely to doubt the U.S. ability to do so.

As a fallback if early response failed to deter or defeat a regional foe or if war occurred somewhere unexpected, the United States should keep enough forces to undertake a single Desert-Storm-like operation to reclaim lost territory. Waging one such conflict at a time is, as the Secretary of Defense has stated on several occasions, all that the United States would plausibly attempt under virtually any circumstances anyway.

A Desert-Shield model for regional deterrence and warfighting might entail deploying roughly the equivalent of a corps of U.S. ground forces, perhaps two Army divisions and a Marine Corps expeditionary unit, together representing some 100,000 troops once logistics and support units are counted, as well as perhaps 8 tactical combat wings (on the order of 600 jet aircraft) and 300 attack helicopters. As General Merrill A. McPeak has noted, ongoing modernization programs for munitions, information systems, and sensors are giving these jets and helicopters far more precision-attack capability than possessed by the much larger U.S. air elements involved in Desert Storm.

Buying more F-15E ground-attack aircraft, continuing to improve sensors and precision-guided munitions, and honing the ability to deploy ground and air forces quickly could increase this precision-attack advantage still further. Doing so is considerably more important, and less expensive, than pursuing the F-22 advanced tactical fighter to reinforce a U.S. air-to-air supremacy that is at no appreciable risk. It is also a wiser and literally more battle-tested investment than to purchase more B-2 stealth bombers for long-distance ground attack.

A U.S. force roughly comparable to that of Desert Shield would use ground units to defend key axes of potential attack and provide a cordon around bases, airfields, and ports. Air forces would establish air supremacy rapidly and attack enemy ground units, likely destroying up to a division a day and clogging roadways and other axes of attack.

In Korea, regrettably, some long-range enemy artillery could damage Seoul and environs regardless of U.S. strategy. But a focus on precision-attack aircraft and systems to share data between Army counterartillery radars and Air Force planes holds out hope that much of that several-hundred-strong long-range artillery force would not survive past its first or second shot.

To be sure, things could go wrong. An adversary could launch a surprise attack by fooling U.S. and allied intelligence or destroy some U.S. prepositioned stocks on shore or at sea through commando raids, missile attacks, or even the use of a nuclear weapon. Particularly in the Middle East, an enemy might gain unexpected support as a result of a coup in a country now friendly to the United States, changing the balance of forces and complicating U.S. access to bases. Also, the United States and its allies may, under certain circumstances, elect not only to defeat an adversary militarily but to occupy its territory and force a change in its political leadership. For these reasons, the United States should be able to marshal a force comparable to that of Desert Storm (comparable also in numbers, though far superior in capability, to U.S. forces deployed in Korea or Vietnam). Thus, the active U.S. force structure would effectively provide the equivalent of a Desert Shield plus a Desert Storm capability.

If still larger forces were needed, the United States could call on its enhanced readiness reserve brigades or enlist support from major NATO allies. (See table 1 for the specific changes in forces and associated savings and costs that the alternative strategy would imply.)

Forward Presence and Peace Operations

Over the past half century, the U.S. Navy and Marine Corps have kept aircraft carrier battle groups, expeditionary units, and other ships stationed virtually continuously in the Mediterranean and the Western Pacific and

Reconciling National Security Imperatives with the Federal Budget Crunch

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Framework
(Brookings, 1995),
from which this
article is drawn.*

to a varying extent in the Indian Ocean and Persian Gulf.

The primary logic behind the continuous presence was the need to counter Soviet activity—in the form of advisors, military cooperation agreements, naval vessels, or in some cases land forces—to reassure allies and discourage further Soviet encroachments. Thus, the U.S. deployments were largely symbolic. A serious political crisis or military operation generally required more than the one carrier or several thousand Marines in place at a given moment, necessitating reinforcement from the United States or elsewhere.

William Kaufmann and Lawrence Korb have noted, in a 1989 Brookings analysis of the defense budget and elsewhere, that such symbolic deployments might have been accomplished more easily and with a smaller carrier fleet through occasional overseas tours and crisis response. But policymakers resisted such a strategy, perhaps partly because they believed that a large carrier force was needed anyway for possible wartime engagements involving the Soviets.

Whatever one's views on that debate, three recent developments raise serious questions about the need for continuous U.S. naval and Marine presence in the post-Cold War era. First and most important, of course, is the breakup of the Soviet Union and the end of communist rule there, as well as the withdrawal of the Russian Navy from most distant waters. Second, long-range U.S. aircraft with improved conventional munitions offer another means of rapid global responsiveness for certain missions.

Less widely appreciated is a third development. For most of the world's conflicts today, unilateral U.S. military involvement is unlikely and generally undesirable. (And in Korea and Southwest Asia, where a primarily U.S. military operation is conceivable, land-based forces obviate most of the need for shipborne combat capabilities.) Unilateral U.S. presence is therefore not always relevant as a show of resolve or interest. More germane is the active U.S. role in United Nations peace operations and other UN-approved military activities. Although often contentious domestically, that active role has endured through two successive presidential administrations—one Republican, one Democratic—and seems likely to continue. The United States now uses those UN operations to display its internationalist bent and reinforce its global commitments in ways that are most appropriate for the new security environment, precisely the purposes that continuous naval presence was intended to serve in the earlier era.

When continuous naval presence is still needed, in enforcing a blockade, for example, or patrolling the Persian Gulf, the Navy should consider rotating crews on a given ship, flying a fresh crew out every 6 months and taking the ship home for major repair work only every two years. Under this system, recently proposed by William F. Morgan of the Center for Naval Analyses, crews would train in U.S. waters before flying to their deployed ships. The traditional requirement to have roughly 5 ships in the fleet for every one deployed could fall to a ratio of 2.5 to 1. Meanwhile, the carrier now homeported in Japan would stay there to sustain continuous presence in East Asia.

Reductions in routine naval and Marine deployments could also ease many of the problems of high de-

ployment rates and equipment disrepair witnessed last year, even at a smaller fleet size. If no UN missions were under way, occasional deployments could maintain a global U.S. military presence.

Otherwise, carriers would remain on call for serious crises or for any regional war in which the United States and its allies suffered initial setbacks and did not have reliable early access to air bases on land.

Nuclear Forces

The role of nuclear weapons too is changing. Today the threats posed by nuclear weapons—proliferation or unauthorized use—far outweigh any benefits they offer. What President Kennedy's national security advisor, McGeorge Bundy, called the tradition of nonuse is a central legacy of the Cold War that must be reinforced at every turn.

Nuclear weapons are fundamentally unlike other types of military instruments. A great body of research about the likely effects of nuclear weapons on people, crops, water sources, and industrial economies suggests that any use of such weapons—and certainly any use involving more than a few, or at most a few tens, of warheads—would be less important for its direct military effects than for the wanton destruction it would wreak on a society and the terrible set of choices about retaliation and war termination that political leaders would have to confront subsequently.

With nuclear weapons no longer its central deterrent against larger adversarial armies, the United States, the world's only conventional superpower, must systematically reduce their number, their role in national military strategies, their alert rates, and when possible their spread worldwide. It is doing some but not all of the things that such a fundamental priority requires.

A host of policy instruments will be needed. This year is a critical one for nuclear arms control because of negotiations to renew the 1970 Nuclear Non-Proliferation Treaty and develop a comprehensive test ban. To push these efforts along, the United States can take a number of steps on its own, including a more economical deployment of its 3,500 strategic warheads allowed under the START II treaty. By deploying seven or eight warheads on a missile, the United States could cut its Trident submarine force in half; by relying more heavily on the bomber force, in particular the B-1, for its land-based deterrent, the United States could shrink its Minuteman ICBM force to the range of 100–200 missiles. Day-to-day alert levels of remaining forces should also be lowered. Finally, the Department of Energy's efforts to continue research on nuclear weapons technology and keep a large reserve of extra warheads could be scaled back considerably, reinforcing the point to onlookers around the world that the United States is no longer interested in optimizing every last dimension of its nuclear capability.

Efforts should also be made to reduce strategic warheads in the Russian and U.S. arsenals, perhaps to 1,000–2,000 deployed warheads on a side, through a START III Treaty or protocol to START II. Such an initiative may make sense even this year as a way to assuage Russian concerns that START II favors the United States because of the treaty's leniency toward submarine missiles. In the process, the arsenals of the

medium nuclear powers should be capped at their current levels if possible. Russia and the United States should also develop formal bilateral measures to monitor stockpiles of excess nuclear materials and warheads, a step that so far the United States has hesitated to endorse out of misplaced fears that such arrangements could facilitate Russian espionage.

Finally, both countries should move fully away from destabilizing nuclear counterforce targeting and reduce the size of nuclear target sets. Targeting conventional military assets and some industries provides more than ample deterrence. It would also lay a better groundwork to consider extensive missile defense efforts. Although missile defenses, even imperfect ones, may be valuable added protection against a failure of deterrence in the future, they must not be deployed if they could disrupt the process of superpower arms control or lead countries into an offense-defense arms race. Given current nuclear doctrines, defenses of any but the most modest sort are likely to do more harm than good.

Continued Global Leadership

My plan would reduce the U.S. defense budget to about 75 percent of the average Cold War level (compared with the Clinton plan at about 80 percent), once inflation is taken into account. Just as important, it would maintain that level during the early years of the next century, when the Congressional Budget Office judges that the Clinton plan would require real spending increases of \$7-30 billion a year to buy weapons like the F-22 just as the annual federal deficit may again exceed \$300 billion.

At least as important as its budgetary benefits are its political and strategic dimensions. Current strategy, whether over Korea and Southwest Asia, nuclear weapons, or global naval presence, is more a vestige of the Cold War than a coherent and fresh vision of how to build a stable 21st century world. Some elements of that strategy are forced on U.S. policymakers by the enduring realities of today's global environment, but others seem to survive more by inertia. Without radically upsetting current security relationships, the United States could take significant steps toward shifting the focus of defense policy.

As noted, two key steps would be to reduce the emphasis on nuclear deterrence and to shape forces and operations more explicitly for multilateral military activities such as UN peace operations. Consistent with those steps would be a different U.S. approach to NATO, one focused less on expanding its membership than on broadening its scope to meet the new challenges of peace operations and preparations for possible regional conflict. Only when the Western alliance is reoriented in such a way can its membership be expanded without grave risk of pointlessly antagonizing Russia. (At that point the United States might be able to reduce defense spending further because it would be able to count on help from its major allies for any large-scale future regional conflict.) By combining such measures with a somewhat smaller, yet still very capable, military establishment, the United States would, without appearing aggressive or hegemonic, preserve its global leadership role. ■

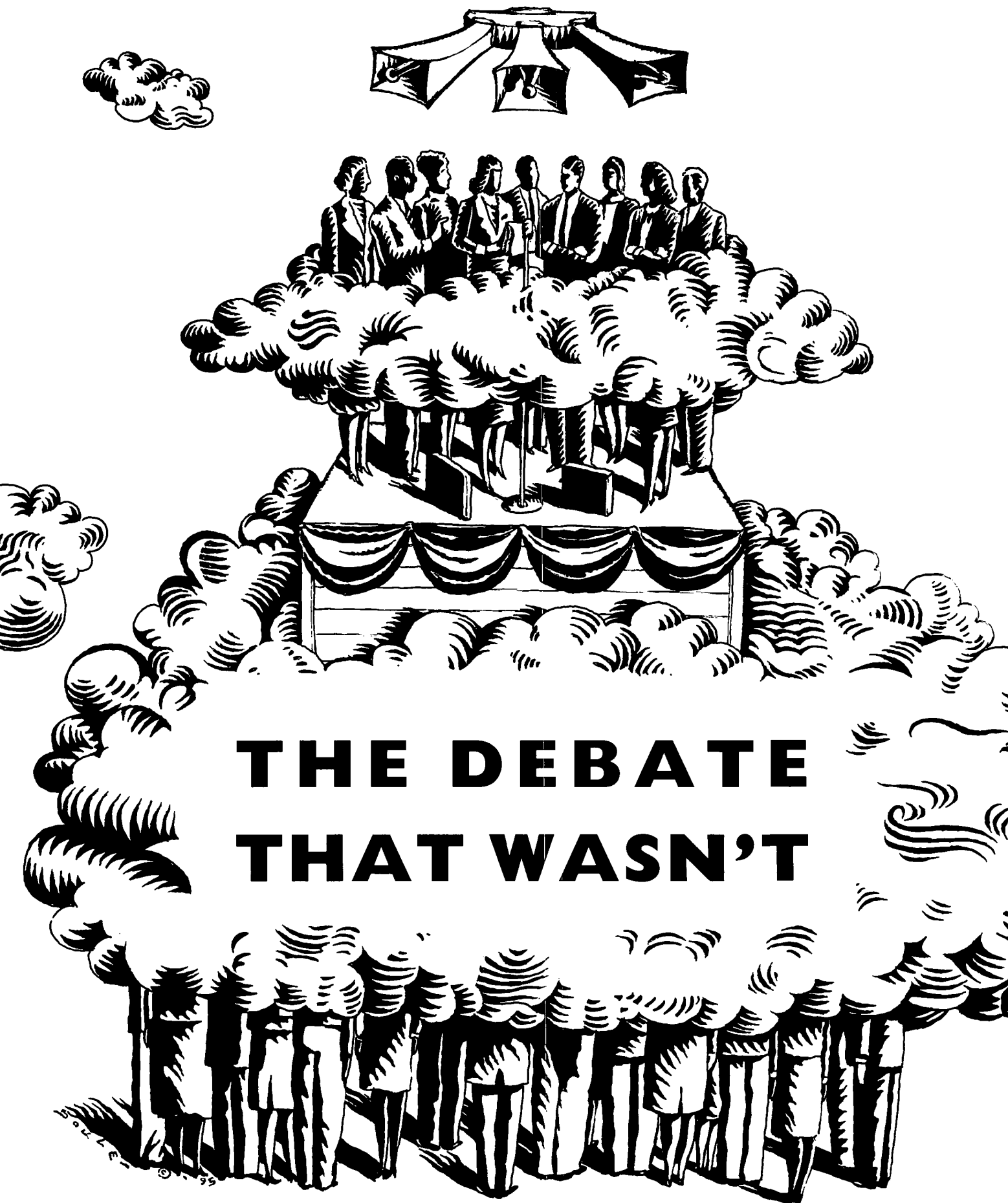
Table 1. Comparing the Administration's Plan and the Alternative

CATEGORY	ADMINISTRATION'S BOTTOM-UP REVIEW PLAN	ALTERNATIVE	ANNUAL SAVINGS (BILLIONS OF 1995 DOLLARS)
CUTS			
Army division equivalents (active/guard) ^a	12/12	10/7	6
Air Force tactical combat wings	20	18	0.7
Marine Corps fighter wing equivalents	5	2	1.0
Navy aircraft carrier battle groups and carrier air wings	12/11	8/7	4
Navy attack submarines	45 to 55	35	1
Air Force Minuteman missiles	450 to 500	100	1.25
Trident force (submarines/ "D5" missiles)	14/432	9/337	1.5
Air Force F-22 fighter	440	0	3
Navy DDG-51 destroyer	16 more	8 more	3
Department of Energy nuclear weapons labs and other facilities	3 labs, "5,000+" warheads	2.5 labs, "3,500-" warheads	0.5
Communications and intelligence	Sustain average level of 1980s	Make modest further cuts	3
Other cuts			1.4
INCREASES			
Prepositioned brigade sets ^b	7	10	-1.5
Air Force prepositioned munitions, support equipment, and fuel	Modest	Enough for two-week war	-1
Air Force 747- class airlift	0	100	-2.25
Air Force KC-10 tankers or equivalent	60	120	-1
Air Force F-15 aircraft	200	400	-1
Other increases			-1.1
Total net savings			18.5

Source: Michael O'Hanlon, *Defense Planning for the Late 1990s: Beyond the Desert Storm Framework* (Brookings, 1995). Savings would be fully in effect by 1999.

a. The administration plans an active army of 10 full divisions; the alternative would have 8 (the indicated totals include contributions from independent brigades as well as full divisions).

b. excluding those in Europe





DANIEL YANKELOVICH

The Public and the Clinton Health Care Plan

In July 1988, Congress passed a bill capping older people's out-of-pocket costs for catastrophic health care at \$2,000. Opinion polls showed that the majority of older Americans supported it. Yet a year and a half later, a humiliated Congress repealed the bill in reaction to a fierce wave of protest from older Americans over the higher Medicare premiums needed to defray the cost of the cap.

Last year, supporters of the Clinton health care reform bill, buoyed by an initial wave of public support, suffered an even worse defeat, one that hurt the administration's political fortunes and also failed to win badly needed reforms of the health care system.

What is it about health care reform that causes our political leaders to stumble so badly? Why does the public seem so supportive at some stages of the reform process while at others public support vanishes and even turns against the reformers?

Dozens of explanations have been advanced for the fall of the Clinton health care reform plan. But I believe that at bottom, like the catastrophic care bill, it fell victim to a massive failure of public deliberation—a lack of dialogue that seduced leadership into misreading the public and caused the public to mistrust the leadership. A similar failure threatens the debates about crime, immigration, welfare reform, education reform, racial politics, and other urgent social issues.

Dialogue of the Deaf

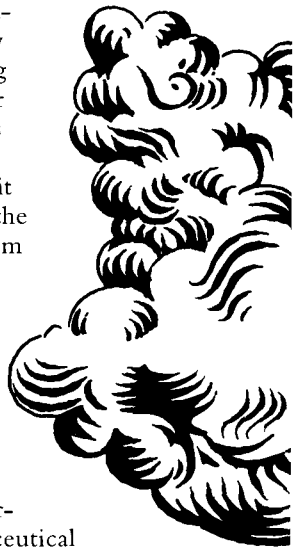
For some years now, the nation's leadership class and the public have been carrying out a bizarre dialogue of the deaf. Leaders have little trouble conversing with each other. Their dialogue amongst themselves is robust and constant, finding expression in countless conferences, workshops, meetings, and forums. But when it comes to engaging the public, the lack of genuine dialogue is striking. Leaders have no trouble talking *to* the public. Mechanisms of top-down communication—TV appearances, pun-

ditry, advertising, spin-doctoring, so-called "public education"—abound. What is missing is any real give-and-take between leaders and the public. The public and the leadership class simply do not seem able to converse with one another in a fashion that makes productive public deliberation—the life-blood of democracy—possible.

Clinton's health care reform plan was not shaped by discussion with citizens about rising health care costs and what to do about them—the public's main focus of concern. Rather, it was the product of experts and leaders alone. Technical experts designed it, special interests argued it, political leaders sold it, journalists kibitzed it, advertising attacked it. The public served merely as confused spectators, never directly engaging the Clinton reforms, good or bad, right or wrong, and never understanding the specifics of the plan and its implications for their lives.

The opponents of the Clinton plan found it pathetically easy to raise fears about reforms the public did not understand. To fill the vacuum left by the public's lack of knowledge and deliberation, opponents conjured up a nightmare: the prospect of ever more impersonal "cattle car" care, regulated by the federal government, with higher out-of-pocket costs for medical care, higher taxes, less choice, lower wages, and increased unemployment.

From the point of view of organized interests—the insurance industry, the pharmaceutical companies, the trade unions, the business corporations, the medical profession—there may have been a debate. From the point of view of warring factions in Congress, there may have been a debate. From the point of view of the administration, its friends and opponents, there may have been a debate. But from the point of view of the public, there never was an opportunity to deliberate between alternative choices and to engage the Clinton plan in all its virtues and shortcomings. As far as the public is concerned, the great health care debate of 1994 never took place.



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Unrealistic Expectations

To understand why the public ultimately rejected the Clinton health care plan without ever having seriously deliberated, one must grasp the mindset of the public when the president formally presented his plan in September 1993.

Concern with rising health care costs had been growing for years, and people had long been trading horror stories about outrageous hospital bills and insurance companies taking away coverage just when it was most direly needed. The public was mindful that many Americans had no health insurance whatever, and a majority felt this was morally wrong. The appeal of health insurance that can never be taken away and of achieving universal coverage while simultaneously controlling health care costs was enormous. The president's speech heightened expectations



that were already unrealistically high and set the stage for the letdown that followed. Several weeks after the speech, polls showed a margin of almost two to one approval of the plan (57 percent to 31 percent). But the following July, approval had slowly melted down to minority status (37 percent).

Six public preconceptions about health care—some of them contradictory—were responsible both for the initial positive public response to the plan and for the subsequent disillusionment.

1. By margins of more than three to one (margins that had held for more than 50 years), Americans had come to believe that health care is a right and that it is the government's responsibility to honor it.
2. Again by overwhelming margins, Americans expressed high levels of satisfaction with the quality of the medical care they and their families were receiving and their access to it.
3. A majority nevertheless felt that rising costs were undermining the medical system, creating a crisis.
4. The public placed the blame for rising costs squarely on "greed" and "waste" in the health care system: hospitals, lawyers, physicians, and drug companies. Since it blamed greed and waste for the rising costs, the public understandably rejected calls for sacrifice and change of behavior on its own part. That perspective put it on a collision course with most experts. Experts see the two main causes of rising costs less in terms of greed and waste and more in terms of an aging population (the main consumers of health care) and the explosive costs of new medical technologies. These are problems whose solution necessarily entails some sacrifice on the part of the public—either helping to pay for the higher costs or forgoing some services, or both.
5. Americans were unrealistic about solutions. They assumed it was possible to reform health care mainly by cracking down on waste and greed, and then use the savings to add health care benefits at no extra cost.
6. Finally, during the early 1990s, Americans felt the need for reform with particular urgency because of the recession. Fears of losing jobs spilled over into concern about losing health insurance, making

health care the number one or number two public priority according to polls.

Thus, when the public listened to the president announce his plan, they did so with high hopes and unrealistic expectations. They expected government to exercise its responsibility to ensure high-quality health care for all Americans, to make sure people would not lose their health insurance if they lost their job, to control or reduce costs so that insurance premiums did not keep rising, to protect quality and access, to encourage the miracles of modern technology, and to do it all by wringing waste and greed out of the system, not by raising taxes, except, perhaps, for some modest sin taxes on tobacco or alcohol.

The president's address reinforced these views, but left people short on specifics. The week after the president's address, polls found, not surprisingly, that only 21 percent of Americans felt they knew a lot about the plan. But as time passed, strangely, *fewer* people felt they knew a lot about it: in October, 17 percent, in November, only 13 percent. By August 1994 a Harris poll showed that fewer than one in five Americans felt well informed about the debate in general (13 percent) or about how various reform proposals would help them and their family (15 percent).

What little people did learn about the plan had shaken their assumptions and planted a worrisome seed. In response to an October 1993 *Washington Post* poll, more people suspected that the plan would worsen their health care than improve it (34 percent as against 19 percent). It did not prove difficult for the plan's opponents to nourish the seeds of doubt.

Why the Failed Dialogue?

The main purpose of public deliberation is for people to come to grips with reality. This has not yet happened to health care. Americans continue to believe that when it comes to health care, they can have it all—quality *and* convenience *and* high-tech medicine *and* lower costs. Polling data show that most Americans do not understand the extent to which their own habits and demands contribute to health care cost escalation. They do not realize the extent to which an aging population, scientific advances, and the existence of a cost system that systematically hides the total costs of health care from consumers are driving health care costs. They do not understand what sacrifices and benefits each health care choice entails, or the need to make sacrifices.

When serious public deliberation is absent, the public is said to be in a state of "raw opinion." As people deliberate an issue, they begin to feel more knowledgeable, their opinions grow firmer and less volatile, their views become more coherent and less contradictory, and, above all, wishful thinking is replaced with more realistic choice making. The surest sign that people have reached genuine deliberative judgment is when they are fully cognizant of the consequences of their opinions and take responsibility for them.

It is sobering to realize that for all the debate about health care reform, public deliberation on the subject is still in an early stage, having progressed very little beyond the raw opinion stage.

Public realism—the willingness to abandon wishful thinking in the interest of solving the nation’s problems—is the end product of serious deliberation; deliberation, in turn, is the product of dialogue. What accounts for the spectacular failure of dialogue on health care and so many other important issues?

I believe the fault lies with leadership, including both inappropriate leadership attitudes and inappropriate leadership skills. Inappropriate attitudes are more fundamental. If the attitudes change, the skills will follow.

The inappropriate attitudes are part of a phenomenon that Kettering Foundation President David Mathews calls a “culture of professionalism”—a growing gap between professionals and public that is rapidly creating new, invidious social class distinctions between elites and the general public. Anthropologist Clifford Geertz has noted in his own profession a “me-anthropologist-you-native” outlook that unwittingly and automatically converts the subject of study into an object of study, depersonalizing the relationship in the process. Today, professionals in all fields—“me-journalist-you-Joe-six-pack,” “me-surgeon-you-broken-hip-in-room-360”—have the same outlook. They take for granted that a certain distance separates them from their subjects, thus creating an invisible barrier between them. Leaders see themselves as elites who do things for “the people.” The people, placed in the role of those for whom things are done, grow passive and unrealistically demanding, abdicating their responsibility for their own lives. The relationship between leaders and citizens inevitably deteriorates, with citizens constantly nagging at government about their rights, while government officials, tiring of incessant public demands, respond by growing more secretive, more cunning, and more manipulative.

Not surprisingly, the professional’s view of communication with the public is a one-way, top-down affair. The goal is to elevate public awareness of an issue by imparting some tiny fraction of their own expertise. Ignoring the lifetime of prejudices, convictions, personal experience, and preconceptions people bring to public issues, they wrongly assume that the public is a *tabula rasa* on which one can write whatever message one wishes to convey. More often than not, however, people react to leadership messages in ways that diverge wildly from the intentions of those conducting the public’s so-called “education.”

Policymakers do not communicate that way among themselves. With each other they engage in dialogue, gain mutual understanding, grasp pros and cons as well as likely consequences. Often the process goes on for years. But when it comes to communicating with the public, the emphasis is no longer on the give and take of dialogue, the probing of choices, mutual understanding, and taking whatever time is necessary to understand consequences. It is not unusual to hear leaders speak blithely of the need for “education campaigns,” one-way monologues that expect the public to grasp virtually overnight what they themselves took years to digest. The public’s voice is heard only in opinion polls and talk radio and in the distorted representations of special interests.

Relying unduly on opinion polls, leaders never de-

velop the skills that come with genuine public dialogue. In the initial stages of dialogue, people rarely express themselves clearly. They need to vent their frustrations before they face reality. Frustration about unreasonable hospital bills may first emerge as ranting and raving about greed. Only after they have vented their frustration are people ready to settle down into rigorous deliberation.

In opinion polls, people say “yes” to proposals to which they haven’t given an iota of thought, simply out of a sense of urgency that something be done.



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values, the American people must play
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They do not literally mean what they say. But the public's cranky sounding off is translated into numbers in an opinion poll, giving the appearance of being "scientific," and political leaders who would never be misled in a real conversation swallow the results. Worse yet, they act on them.

To engage the public in dialogue, leaders must move beyond reacting to opinion polls. They must learn how to engage a worried citizenry in serious discussion on how to allocate limited resources. And they must discuss these matters with the public as



To engage the public in successful deliberation, leaders must abandon the failed top-down model of communication. The techniques on which professionals have relied for so long do not advance serious public deliberation.



equals, not as superior professionals condescending to impart information to an ignorant public. The dialogue must be genuine. The leadership has to be willing to listen and to change in fundamental ways as well as the public.

A Strategy for Public Dialogue

Merely announcing, as the Clinton administration did, that a public debate will take place on health care does not make it so. For a genuine debate to happen, a strategy must be devised to deal with the public's wishful thinking and with leadership's blind spots. Such a strategy will have two elements, one that focuses on the substance and sequence of health care reforms, the other on managing the public deliberation process.

Because a nation's health care system must ultimately reflect its deepest values, the American people *must* play a key role in shaping theirs. Perhaps as a nation we really are willing to consume a far larger proportion of our GDP on our health care systems than other nations are on theirs. Maybe we are willing to sacrifice other good things to try to save the lives of "preemies" and to follow every possible technological lead at public expense. But we won't know what we truly value until and unless we confront the reality that pursuing these objectives means abandoning others that may be of equal or greater importance to our society. All the hard choices, however, can't be dumped on the public at once. What choices is the public prepared to deliberate and in what sequence?

In the aftermath of the Clinton plan's defeat, a number of reform ideas are floating around Congress. One is to reform insurance to make it easier for people to carry their health insurance from job to job and harder for insurance companies to blackball people with so-called preexisting conditions. Another is to encourage states to experiment more freely with various reform packages. Another is to start to curb some of the legal excesses that cause physicians to practice costly defensive medicine.

The public embraces all these reforms. All are more complex and expensive than many of their proponents admit. And most arouse special interest opposition. Nevertheless, some of these limited reforms are likely to be enacted since none demands sacrifice on the part of the public or major changes in behavior, and so do not presuppose the need for further public deliberation. We can therefore expect this Congress or the next to pass an incremental health care bill embracing at least some of these changes.

More fundamental changes must wait on public and leadership willingness to enter into more serious deliberations. Where public deliberation is urgently needed in the future is on the consequences of the fact that the American people demand more medical care than they are willing to pay for. This demand places immense strains on the health care system. As Americans age and as technology expands, the desire of people to take full advantage of the benefits that modern health care offers grows ever stronger. The question is how best to accommodate this desire without sacrificing competing public needs.

The central issue in health care reform is how to

manage the growing supply of health care benefits created by technology in the face of insatiable public demand. Which aspects of health care should fall under the rules of the market where people get only what they pay for, and which should fall under the rules of entitlement where people receive health care benefits as a matter of right whether or not they can pay for them? I believe we can best make ourselves ready to confront these fundamentals by debating the dilemmas of health care reform in a sequence proposed by two research organizations that have been studying the public's relation to health care.

The Public Agenda-Kettering Plan

Research by the Public Agenda and Kettering Foundations indicates that the public has not yet confronted three major health care reform dilemmas, each increasing in difficulty.

The first is how to retain and improve the health care benefits of those who now have health insurance, extend some of these benefits to those who now lack insurance coverage, and at the same time keep public costs under control and preserve the vitality and competitiveness of the economy. The dilemma is how to balance the desire for expanded insurance coverage, now provided by employers and government, without placing a crushing burden on those who foot the bill—either employers or taxpayers.

The second dilemma, a more painful one emotionally, concerns the desire to curb the growth of health care costs and at the same time continue to enjoy the benefits of advancing technology. Medical experts are accustomed to heated debates over new technologies—whether, for example, to use a clot-dissolving drug that is marginally more effective for some patients but costs in excess of \$2,000 a dose, ten times more than existing treatments. But average Americans are not ready yet to wrestle with these kinds of decisions.

The third dilemma, the one Americans are least ready to confront, is the conflict between reducing costs and doing everything possible to save lives. Americans are ill-equipped, both mentally and psychologically, to participate in decisions that involve rationing in life and death decisions—for example, the recent surgery in a Philadelphia hospital that separated Siamese twins, one, as expected, dying immediately, the other given a 1 percent chance to live, at a cost to taxpayers of hundreds of thousands of dollars.

A successful deliberative process on all three of these dilemmas, considered in sequence, will take at least three to five years and will call for real leadership skill. It should not be assumed that the outcome, if successful, will be confined to laws and government regulations. Individual and private sector decisionmaking will be decisive. When average citizens are obliged to make life and death decisions for their loved ones routinely under circumstances charged with anxiety and feelings of incompetence and helplessness, the private sector rather than government, and the medical profession rather than individuals must assume most of the responsibility. But the public must participate in these and other wrenching decisions—as consumers,

employees, and citizens. And the government must play an important role in those aspects of health care deemed to be rights that cannot be decided solely on the basis of ability to pay.

The Deliberative Process

In my book, *Coming to Public Judgment*, I describe seven steps through which public deliberation on any complex issue must proceed to be successful. Where does public discussion of health care reform fall in terms of these seven steps?

Americans first began *to be aware* of the problem of swelling health care costs during the mid-1970s (step #1); they began *to feel the urgency* of the situation during the recession of the early 1990s (step #2); and they began *to react* by paying heed to proposals for reforming the health care system during the presidential election of 1992 (step #3). President Clinton's 1993 proposal to guarantee health insurance that can never be taken away helped move the public into the fourth stage, *resistance*: the public began to confront its own wishful thinking, preparing the way to acknowledge that attacking waste and greed alone is not the panacea that will magically solve the problem of guaranteeing quality medical care while controlling costs.

Today, the public remains stalled at the stage of resistance (step #4). In every important area of health care that requires citizens to make sacrifices or accept real change, the public has been unable to take the fifth step, *"choicework,"* where people, having overcome their wishful thinking, deliberate realistic policy choices and wrestle with their pros and cons.

Needless to say, the public is far from reaching the two final stages of deliberation—in which people reach tentative conclusions (step #6), largely *cognitive* in character, about the appropriate policy choices, and the final step, *judgment* (step #7), where they add strong elements of emotional and moral conviction to their cognitive conclusions.

To engage the public in successful deliberation, leaders must abandon the failed top-down model of communication. The techniques on which professionals have relied for so long—the lawyer-like debates that take place in Congress, the "packages" of policy-wonk information whose consequences for the public are not clearly spelled out, the media-based campaigns of public education that fail to take into account the public's need to reconcile conflicting values—do not advance serious public deliberation.

If the nation's leadership can reach out to the public, transcending the divide caused by its own "expertise," and if it can acquire the skills needed to engage the public in a genuine dialogue on health care reform, it may in the process find ways to bridge the larger disconnect that extends beyond health care to so many issues distressing the nation. If we are able to resolve our health care dilemmas and learn to engage in fruitful public dialogue at the same time, our democratic process will be the winner. ■



SLAYING THE DINOSAUR

The Case for Reforming the Senate Filibuster

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During the 103rd Congress, when Democrats controlled both ends of Pennsylvania Avenue for the first time since Jimmy Carter was president, House Democrats bristled at the way the Senate filibuster was distorting the balance between the chambers and radically reshaping or killing legislation that enjoyed majority support. House Republicans might have been their immediate opponents, but the real enemy was the Senate—and its filibuster.

What a difference an election makes. Facing an awesome display of leadership and discipline by the new majority Republicans, former House critics of the Senate became its most ardent champions. The agonizingly slow pace of the Senate and its empowerment of individual senators and minority factions became a virtue, not a vice, as House Democrats and their supporters looked to the filibuster as the ultimate means of stemming the conservative policy tide.

The breathtaking reversal by House Democrats made all the more remarkable the move by two Democratic senators at the beginning of the 104th Congress to revamp the Senate's cherished filibuster. "There is no reform more important to this country and to this body than slaying the dinosaur called the filibuster," proclaimed Senator Tom Harkin (D-Iowa). "We need to change it so that we can really get back to what our Founding Fathers envisioned—a process whereby the minority can slow things down, debate them, but not kill things outright." As Harkin sees it, the Senate's venerable rules, which require either unanimous consent or 60 votes to limit debate and guarantee a vote, are no match for new political conditions in the Senate. Extreme individualism with unrestrained use of the filibuster has undermined the Senate's comparative advantage. The fierce protection of individual rights is costing the Senate its unique role as the world's greatest deliberative body.

Harkin is right. It is time to reform the filibuster.

Origins of the Filibuster

Observers and members of the Senate alike generally attribute the filibuster to the designs of the Framers. But delegates to the Constitutional Convention passed up the opportunity to dictate a set of Senate procedures that would ensure the protection of minority interests. Although the Senate was intended to be a restraining check against rash, popular majorities in the House, the Framers believed they had designed the Senate in such a way as to make unnecessary any procedural tools to ensure its role as the more deliberative and temperate assembly. Staggered six-year terms, equal representation of large and small states, indirect election—these and other features were deemed sufficient to distinguish the Senate from the more popular and populous lower chamber. In fact, in urging ratification of the new Constitution both James Madison and Alexander Hamilton argued that requiring supermajorities for action would exact an unbearable toll on the power of a legislative majority to act.

The right to filibuster through extended debate and

amendment arose by accident. Like the House, the early Senate had a rule known as the previous question motion—a procedure it used, sparingly, to put off decisions on delicate matters. Because the rule was seldom used, however, the Senate eliminated it in 1806. Without a previous question motion—a rule the House soon revamped to force votes on favored legislation—the Senate had no way to limit debate and amendment short of getting the consent of every senator.

When partisan and sectional tensions rose later in the 19th century, Senate majorities often found themselves unable to pass favored policy measures. A single senator—often in concert with colleagues on either side of the aisle—could filibuster and obstruct legislation through endless amendments or extended debate. Senators also exploited the filibuster to block rules changes that would have empowered a majority to force votes on favored legislation. Only when bullied by President Woodrow Wilson and an outraged public on the eve of World War I in 1917 did the Senate adopt its current Rule 22, a procedure that allows a supermajority to invoke cloture and thereby limit debate and amendments on pending legislation. On a handful of occasions since then, the Senate has reduced the number of senators necessary to invoke cloture, requiring three-fifths of the chamber (or 60 votes) to do so today.

Historical Trends and Modern Problems

No one is sure precisely how many Senate filibusters have taken place over the years. Because it is nearly impossible to separate episodes of extended debate from actual filibusters, scholars have had to rely on historical accounts of the Senate to determine the number of filibusters in the 19th century. Even after the advent of Rule 22 in 1917, not every cloture vote can be taken as a signal that a filibuster was under way. At times, particularly in the last decade, Senate leaders have sought cloture to lend some predictability to the Senate schedule or to force the hand of senators threatening to filibuster.

Still, no one disputes that the incidence of filibusters has increased exponentially (see figure 1). By our count, the entire 19th century saw only 22 filibusters. In the 102nd Congress (1991–92) alone, there were 35. Although it is often thought that the early filibusters were exclusively sectional in nature (as senators aligned on a regional basis to fight legislation favored by northern and western senators), partisanship often pervaded early obstructionism as well. Democrats fighting Whig expansionism before the Civil War, as well as Democrats fighting Republican efforts to protect blacks in the postbellum period, availed themselves of the filibuster to block legislation their parties opposed.

The explosion in the number of filibusters began after the 1950s. Where the 1950s averaged one filibuster per Congress, the 1970s averaged 11 and the 1980s, 19. At the same time, the average number of cloture votes rose from fewer than 1 per Congress in the 1950s to 27 per Congress in the 1980s. Not only did the sheer number of filibusters and cloture votes climb, but the targets of filibustering senators expanded as well. In the 1950s, the filibuster was used al-



most exclusively by a coalition of conservative Republicans and southern Democrats to thwart civil rights legislation. That same coalition also took advantage of the filibuster to block further reform of Rule 22. So long as a supermajority of senators was required to alter chamber rules, opponents of civil rights legislation could prevent changes in the Senate cloture rule that would have otherwise made it easier for a majority to act. But by the end of the 1970s the filibuster was no longer the preserve of conservatives. Liberals discovered that the filibuster could block policy initiatives and court nominations of the Nixon administration. Last year, matters ranging from reforming product liability and lobbying laws to protecting California deserts were targets of a filibuster.

Senators have turned increasingly to the filibuster to block Senate action because there are few incentives not to. As crystallized by political scientist Richard F. Fenno, Jr., the Senate's shift from a communitarian body in the 1950s to an individualistic one after 1970 has meant the demise of the old Senate—where incentives and norms encouraged quiet apprenticeship and deference to committee and chamber elders. In today's Senate, senators are encouraged to be more responsive to their own personal agendas than to the needs of their colleagues and party leaders. Explosions in interest group pressures, media attention, campaign costs, and constituency obligations have all combined to give senators an overwhelming incentive to exploit their procedural rights. And when party leaders in the 1970s began to adjust to this new style of Senate activism, their decision to “track” filibusters by setting contested bills aside and moving onto other pressing legislation only increased further the use of the filibuster.

As a result, holds by individual senators—in effect a threat to filibuster—have proliferated and filibusters and cloture votes have grown apace. Not only have senators been more willing to filibuster measures they oppose, they have also exploited their procedural prerogatives to filibuster bills at multiple stages—on the motion to proceed to their consideration, on amendments to the bill, and at all three steps of the otherwise pro forma motions to agree to go to conference with the House. Because Senate leaders depend on gaining unanimous consent to structure the floor agenda (unless they can easily muster 60 votes to invoke cloture—a rare feat for recent majority parties), a single senator's pet objections can throw off the entire Senate agenda. Given increases in legislative demands and senators' conflicting schedules, party leaders can ill afford to call the bluff of senators threatening to filibuster or to force senators to hold the floor continuously during a filibuster. Instead, the mere threat to filibuster is enough to block action on legislation potentially favored by a sizable majority. As one senator has put it colorfully, “You have to think of the Senate as if it were 100 different nations and each one had the atomic bomb and at any moment any one of you could blow up the place. So that no matter how long you've been here or how short you've been here, you always know you have the capacity to go to the leader and threaten to blow up the entire institution. And, naturally, he'll deal with you.”

Filibusters and Popular Majorities

The most common defense of the filibuster is that legislation favored by a popular majority has never been killed by extended debate. Senators, so the argument goes, will be unable to sustain a filibuster if they lack broad support within and outside the chamber. But it is wildly unrealistic to imagine that a largely apolitical public can serve as a watchdog on the dozens of filibusters waged each year. Indeed, the routinization of the filibuster, and the information overload associated with it, effectively eliminates any meaningful role for public opinion in disciplining the behavior of minority factions in the Senate. Even on broadly salient issues Senate obstructionism has surely killed measures that would otherwise have passed. The 40-year journey for civil rights legislation starting with anti-lynching bills in the 1920s is strong evidence that the filibuster permits a minority of the Senate to bottle up measures enjoying majority support.

Moreover, in the 1980s the coalition favoring cloture on bills killed by a filibuster constituted on average 56 percent of the Senate—falling four votes short of the supermajority needed to invoke cloture under Rule 22. It seems safe to conclude that filibusters have routinely prevented a sizable majority from casting a vote on pending legislation. Although the filibuster may encourage a majority to moderate its position, it also regularly prevents a majority from expressing its will on the Senate floor.

A few examples from the last Congress illustrate the effect of the filibuster on legislation with widespread support. Early on, both houses overwhelmingly passed bills to overhaul laws regulating the activities of lobbyists and to tighten limits on gifts to members of Congress. But Republican senators successfully filibustered the conference report when it came to the floor a few weeks before last November's elections. For partisan political purposes, Republican senators refused even to vote for cloture after Democrats offered to remove the offending grassroots lobbying section. As a result, despite a majority for cloture and earlier supermajorities for identical provisions, the filibuster successfully killed the prominent reform measures. A filibuster also prevented final passage of a compromise bill to raise grazing fees on western public lands. In a chamber in which rural interests are already overweighted, a coalition of 16 senators from sparsely populated western states attracted enough Republican support to sustain a filibuster on legislation with majority support in both chambers.

Statutory Debate Limits

Perhaps the strongest argument in favor of reform is that senators themselves have been quite willing to limit the right to filibuster when such limits serve their immediate policy interests. In more than three dozen instances in recent decades, Congress has placed into statute strict limits on debate and amending activity on House and Senate floors. These antifilibuster provisions, generally known as “expedited procedures,” have been used to ensure that a vote can be taken on a resolution either approving or disapproving some action proposed by the president or other executive

branch official. If the law requires that Congress formally approve some action by the executive branch before it can be implemented, filibustering the resolution of approval can kill the initiative. Conversely, if the law mandates that Congress must formally disapprove an executive branch initiative in order to kill it, a filibuster against the resolution of disapproval can protect the initiative. When senators have had a policy interest in voting on the proposed delegation of power to the executive branch, they have pointedly banned the filibuster on the relevant resolution.

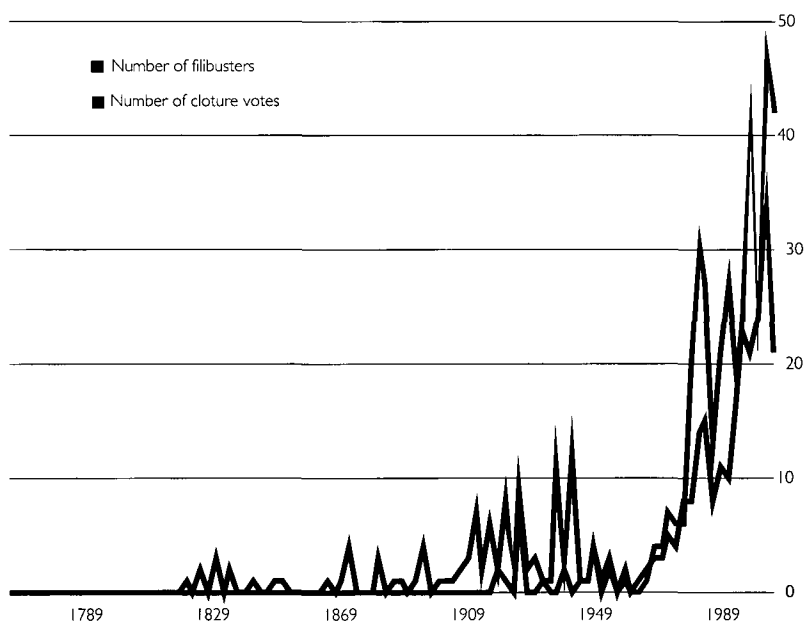
“Fast-track” procedures often used to guarantee a final vote on trade packages negotiated by the president are probably the best known expedited procedures. A strict 30-hour debate limit with no chance for amendment in the past has been imposed during consideration of nontariff trade packages on the Senate floor, although legislation extending fast-track authority can be filibustered. Similarly, the 1974 Budget Act imposed a 20-hour debate limit for consideration of budget reconciliation bills. When such expedited procedures are in place, senators opposed to some provision in the package cannot filibuster a bill to kill the offending provision.

But expedited procedures are not reserved for simply the most politically salient legislation. Senate majorities have banned the filibuster across a host of issues that involve delegation of authority to the executive branch, including foreign assistance, arms control, and energy and environmental regulations. Already in the 104th Congress, a majority in the Senate has created new expedited procedures. Statutory debate limits have been included in legislation regulating unfunded mandates and in a bill to permit Congress to review newly issued agency regulations. Although senators tend to claim a principled commitment to preserving Senate tradition, they are quite willing to foreclose their rights to filibuster when such limits serve more immediate political and policy interests.

Proposals for Reform

To limit the harm done by the filibuster, the Senate should consider three approaches to reform. The first would limit the ability of senators to filibuster presidential nominations for executive and judicial branch positions. Consider the example of former Carter administration official Robert Pastor, who was nominated last year by President Clinton as ambassador to Panama. Although the Senate Foreign Relations Committee approved Pastor’s nomination by a bipartisan vote of 16–3, the nomination was killed at the end of the 103rd Congress by a threatened filibuster by Senator Jesse Helms (R–NC). Pastor afterward argued forcefully that a single senator ought not to be able to prevent the Senate from casting a vote on presidential nominations. “The Constitution grants the Senate the power to advise and consent on ambassadorial nominees,” argued Pastor in the *Washington Post*, “not to delay and obstruct.” Just as senators have been willing to impose statutory limits on debate on trade, budget, and other issues, they should also consider expedited procedures for consideration of nominations. Such a move would protect the full Senate’s power to advise and consent on nominations.

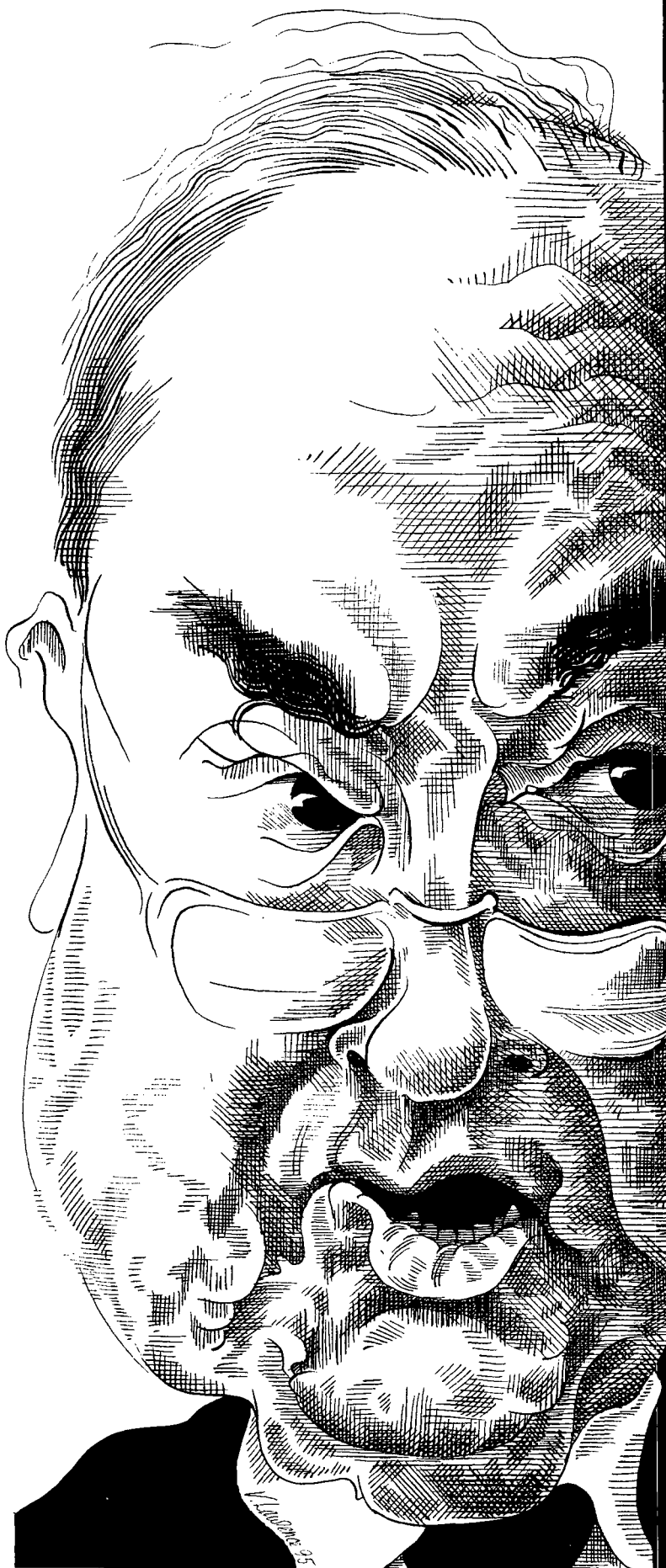
Figure 1. Filibusters and Cloture Votes, by Congress, 1789–1994



Sources: Richard S. Beth, “Filibusters in the Senate, 1789–1993” (Congressional Research Service, 1994); Franklin Burdette, *Filibustering in the Senate* (Princeton University Press, 1940); *Final Report of the Joint Committee on the Organization of Congress*, S. Rpt. 103–215 (Government Printing Office, 1993); *Cloture Report* (U.S. Senate Democratic Policy Committee, 1993 and 1994).

A second reform approach, advocated in the last Congress by then Senate Majority Leader George Mitchell (D–Maine), would limit the number of stages at which a measure can be filibustered. Rule 22 provides six opportunities to filibuster a bill before the vote on final passage—including on the motion to proceed to consideration of a bill and on the three votes related to going to conference. In recent years, senators have increasingly been prone to target the motion to proceed. By launching a filibuster on the procedural motion, a senator can prevent the chamber from even taking up legislation he or she opposes. The mere threat of a filibuster in the form of registering a hold on the bill has been enough to convince Senate leaders to shelve the motion to proceed and with it the bill. Although senators often lift many such holds, a threat to filibuster the motion to proceed delays the Senate and confounds party leaders’ ability to set the chamber’s schedule.

Under the Mitchell proposals, debate on the motion to proceed would be limited to two hours, a move that would guarantee the majority a debate (if not a vote) on bills high on the Senate’s agenda. Moreover, by limiting individual senators’ right to obstruct the motion, the majority leader would no longer be forced to engage in extended negotiations over even the most routine bills on the Senate’s agenda. Senators of both political parties, including Senator Robert Byrd (D–West Virginia), perhaps the Senate’s greatest champion of the filibuster, have at times endorsed such a limit on the motion to proceed.



The Mitchell proposals would also consolidate into a single motion the three votes necessary to go to conference with the House. The filibuster would be permitted only during consideration of a measure, on the single motion to proceed to conference, and on the conference report itself. Although these reforms would not temper the incentive of senators to exploit their procedural prerogatives, they would make it easier for the majority leader to organize the Senate schedule, lend some predictability to the consideration of legislation on the Senate floor, and force opponents of bills to focus extended debate on the measure itself rather than the preceding procedural motion.

The third approach to reform, advocated by Senators Tom Harkin (D-Iowa) and Joseph Lieberman (D-Connecticut), would ratchet down over several days the number of senators required to invoke cloture. Early this year the Senate rejected Harkin and Lieberman's proposed reform of Rule 22 that would have set a four-vote procedure to attain cloture, with the requisite number of votes for cloture declining with each vote. The initial 60-vote requirement would be lowered to 57, 54, and 51 votes on the following three votes. Under this proposal, a large minority could delay consideration of a bill by extended debate over a minimum of eight days and more likely several weeks, but would eventually have to give way to a simple majority seeking to cast a vote on the measure. Ratcheting down the number of votes required to invoke cloture would both preserve the minority's right to be heard while boosting Senate leaders' ability to move forward on favored legislation.

The Filibuster and the Character of the Senate

Whenever proponents of Senate reform have sought limits on extended debate, defenders of the filibuster have accused them of trying to undermine the uniqueness of the Senate, particularly its original role as a moderating force on intemperate majorities in the House. But the filibuster can be reformed without imperiling the inherent distinctness of the Senate or the Madisonian system of separated institutions competing for shared power. Its members will still serve six-year terms, allowing them to take a more measured approach than House members under the perpetual gun of a reelection campaign. Only a third of the Senate will still be up for reelection in any given year, diluting the impact of strong electoral waves such as the one that gave Republicans control of Congress last November. And senators from large and small states alike will still be given an equal vote, retaining the overweighting of rural interests in the Senate. The trick, of course, in any set of reforms is to balance two goals: protecting the right of individuals and minorities to be heard and ensuring the right of the majority to act. The use of the filibuster in today's Senate serves the interests of the minority at the expense of the majority. Far from preserving the Senate's role as a deliberative assembly, the filibuster today encourages rampant individualism and obstructionism, endless delays and unfocused discussion, hardly conducive to the thoughtful consideration of measures to solve vexing problems of public policy. ■

Defending the filibuster may not be quite as nasty as taking candy from a baby, but neither is it a good route to popular acclaim. Few kind words are ever spoken in defense of filibusters. Conventional wisdom and political correctness have pronounced them to be pernicious. The very word is pejorative, evoking ugly images of antidemocratic activities.

During the last biennium, filibusters became so unlovable that a group, including former senators, formed "Action, Not Gridlock!" to try to stamp them out. The public, which had tested both gridlock and action, seemed to prefer the former. The organization disappeared.

As that public reaction suggests, political correctness is a sometime thing and conventional wisdom oft goes astray. The American public may not be rushing to embrace the filibuster, but neither has it shown any inclination to root it out. The Senate's overwhelming vote earlier this year against changing the filibuster means that the practice won't go away soon, so it is worth examining. Despite its bad press, the story of the modern filibuster is not one-sided.

Filibusters, the Constitution, and the Framers

Filibuster haters claim they are contrary to the spirit of the Constitution because they require extraordinary majorities. The rationale is that the Framers, who created a majority system and rejected supermajorities, would be horrified by filibusters. Perhaps, but don't be too sure. Remember that no one has dug up a Framers lately to testify to the accuracy of this theory.

The Framers created our system based on their profound distrust of government. They loaded the system with checks and balances to make it work very slowly and with great difficulty. Their intention was to prevent swift enactment of laws and to avoid satisfying the popular whimsy of each willful majority. Maybe they would trade popular election for a filibuster rule.

Without any live Framers, we can only speculate about their feelings. However, it is hard to believe that, having designed an extremely balky system, they would want to speed it up today. More likely, they would merely remind us that for more than 200 years major American policymaking has been based on "concurrent majorities" anyway.

Parliamentary Comparisons

Most of the parliaments of the world are copies, or variants, of Westminster. With only one strong house and no separated executive branch, they can usually deliver laws swiftly. But when their actions affront public opinion, there is a political price to be paid, often very quickly. The government that offends the people soon becomes the opposition.

In our regional system, our majorities, assisted by a wide range of taxpayer-paid perks, do not usually pay any price. Our members of Congress are unbeatable (even in the earthquake of 1994, more than 90 percent of them who sought reelection were reelected). Our

DEFENDING THE DINOSAUR

The Case for Not Fixing the Filibuster

Bill Frenzel

Bill Frenzel is a guest scholar in the Brookings Governmental Studies program. He served in the House of Representatives (R-MN) from 1971 to 1991.

majorities are not eternal, but they are long-lived, unlike the Westminster forms.

It might make sense to consider trading the filibuster for congressional mortality (perhaps through term limits), but it is probably unwise to accept the blockbuster majority power of the Westminster system without accepting its balance of political turnover in return.

Actually, filibusters are not unique to the United States. Other parliaments are finding new opportunities for dilatory practices. The Japanese upper house recently presented its “ox-step,” and an appointed majority in the Canadian Senate frustrated the intentions

popular proposal. Filibusters simply do not succeed *unless* they have popular support or unless there is a lack of enthusiasm for the proposal being filibustered.

In 1993 Senator Bob Dole (R-KS) led a filibuster against the Clinton Emergency Spending Bill. It succeeded because the public liked the filibuster better than the spending. In the Bush years, Senator George Mitchell (D-ME) stopped a capital gains proposal by threat of filibuster. Senator Mitchell succeeded because the people saw no urgency in the proposal. In both cases, political reality prevailed.

If the public wants a vote, it tells its representatives. In 1994 Senate Republicans tried to filibuster the Crime Bill. Based on hot flashes from home, more than 60 senators perceived that the bill was popular, so the filibuster was broken quickly. The same thing happened to the Motor Voter Bill, the National Service Bill, and five out of six presidential appointments. If any proposal has substantial public support, a couple of cloture votes will kill the filibuster. The political reality is: frivolous filibusters do not succeed. The modern filibuster can gridlock ideas that are not popular, but it has not gridlocked the people.

The Bicameral System

In our unique system, the two houses of Congress have developed similar, but not identical, personalities and processes. The House of Representatives, with 440 orators, is harder to manage and has therefore created a set of rules to limit debate. In recent years, its majority has handled bills under rules that permitted few, if any, amendments and only an hour or two of debate.

The Senate, with only 100 orators, has stayed with free debate and an open amendment system. That is not a bad division of process. One house has been too closed, the other too open. The House operates with the relentlessness of Westminster majority, and the Senate has more time to examine, to delay, to amend, and, if necessary, to kill. All are vital functions of any legislature.

The new majority in the House are pledged to operate under more open rules than their predecessors. They have done so. Even so, they have had to move their program, so debate and amendments have still been subjected to some limitations, less than the old House, but still much more than the Senate.

There is still a relatively open pipeline for bills flowing from the House. Nine out of ten “Contract” bills is a strong showing of majority power. Following the Framers’ wisdom, it is prudent to have a sieve in the Senate to compete with that open pipe in the House. At least some of the worst legislative lumps may be smoothed out in the finer mesh. Only if unlimited debate and amendments were guaranteed for all House bills would it make sense to kill the Senate filibuster.

Key to Compromise

Many filibusters are not filibusters at all, but merely threats. Most are undertaken to notify the managers of the proposal that problems exist. They are a signal from a minority to a majority that negotiations are in

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of the prime minister and his government on the ratification of the U.S.-Canada Free Trade Agreement. The strokes are different for different folks, but we are not alone. Delay is a time-honored political exercise that transcends political boundaries.

The Filibuster and the Popular Will

The filibuster has been often indicted for denying the popular will, but over recent history, that point is hard to demonstrate. In the first place, it is not easy to get, and hold, 41 votes in the Senate under any circumstances. It is practically impossible to do so against a

order. Sometimes the majority tries a cloture vote or two before negotiating. Sometimes it negotiates. Sometimes it does not.

Most of these procedures end in a modified bill, not a dead bill. The Crime Bill noted above passed. The Dole filibuster of emergency spending did not prevent passage of many of its bits of pork in regular appropriations bills. The old Mitchell capital gains filibuster will no doubt be picked up by Senator Daschle (D-SD) this year. The predicted result will be some sort of negotiated agreement.

The filibuster surely gives a minority a little more clout, but it does not prevent a majority from passing reasonably popular proposals. It gives a minority the opportunity to negotiate what it believes is an intolerable proposal into one it can live with. That compromise may serve the needs of the majority tolerably well too.

No Need for a Heavy Hand

One political reality test for the filibuster is the congressional ingenuity in finding ways to avoid it when necessary. Trade and Reconciliation bills are considered under laws that obviate filibusters. When there is a good reason to finesse the filibuster, the Senate always seems to get the job done.

Many other Senate rules, only dimly understood by common folks, reduce the legislative pace. I do not mean to bless multiple efforts to filibuster the same proposal. Once on the bill and once on the conference report is enough. Unlimited amendment after cloture is also too much opportunity for mischief.

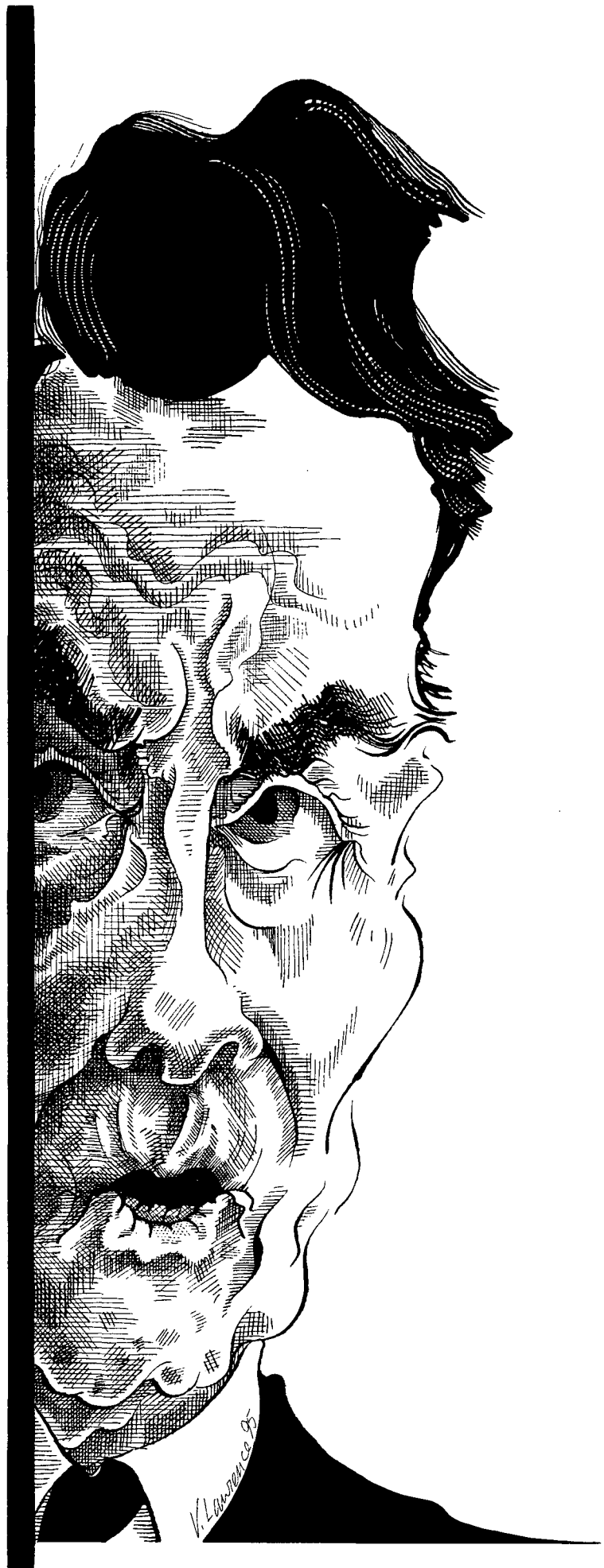
Former Senate Majority Leader Mitchell has left constructive proposals to speed the work of the Senate without damaging the filibuster. They ought to be considered. The minority needs rights for protection. The majority needs the ability to move its program. Both needs can be well served by the modern 60-vote cloture rule. It should not be changed.

Keep the Filibuster

The test of the filibuster ought to be whether it is fair, appropriate, and constructive. It may have been a killer in the old days, when it slew civil rights bills, but under the new 60-vote system, it is difficult to recall a filibustered proposition that stayed dead if it was popular.

Most antifilibuster noise comes from advocates of ideas that were going to fail anyway. It is not essential for every idea that comes bouncing up or down Pennsylvania Avenue to become law. The filibuster is a useful legislative tool, consistent with the goals of the Framers, that keeps whimsical, immature, and ultimately unpopular bills out of the statute books.

Both houses have new majorities this year. The House Republican majority has already enhanced minority rights. The Senate majority has protected its minority as well by defeating a proposal to eliminate the filibuster. That vote may come back to bite the Republican majority, particularly on capital gains legislation. But for our centrist American government and its centrist electorate, it was the right thing to do. ■



Medicare: What To Do?

BY ROBERT D. REISCHAUER



Just as it prepares to celebrate its 30th birthday, the Medicare program, which provides basic health insurance to 37 million elderly and disabled Americans, finds itself on the chopping block. One reason is the effort to balance the federal budget. If the budget is to be balanced by 2002 through spending cuts alone, as congressional Republicans are insisting, there is no way Medicare can be spared because it is a large—one dollar out of every nine—and rapidly growing—10 percent a year—part of the budget. A second reason is that the Hospital Insurance (HI) component of Medicare is heading for insolvency. Hospital insurance spending will exceed the program's payroll tax and other income by increasing amounts starting in 1996. By 2002 the \$136 billion that has been built up in the Trust Fund over the years will be depleted. The baby boom generation's retirement, which Medicare will begin to be feel in about 15 years, is a third reason why this popular and generally successful program is under the knife. If changes are not made, the share of GDP devoted to Medicare will double by 2015 and triple by 2035. Clearly the program is unsustainable in its current form.

To put Medicare on a sound financial footing, policymakers will have to turn to a combination of traditional approaches and untested structural reforms. The heavy lifting over at least the next five years will require more of the same measures already used over the past decade to cut Medicare spending. None is painless or politically popular. The monthly premium charged participants in the Supplementary Medical Insurance (SMI) component of the program may have to be raised above its current \$46.10. During SMI's first nine years, premiums covered half of program costs of the average elderly participant. In 1995 the ratio will

be 31 percent, and by 2002, under current law, the ratio will drift down below one-fifth. Deductibles, set at one day's hospital charge in HI and \$100 in the SMI program, may have to go up. SMI coinsurance, 20 percent for most services, may have to be increased and extended to services, such as laboratory charges, where none now exists. The automatic annual adjustments in hospital and physician payment rates may have to be slowed. Special payments to hospitals serving disproportionate numbers of low-income patients, to teaching institutions, and to sole community hospitals may have to be reduced or eliminated. So too may allowances for bad debts and capital costs. HI payroll taxes may even have to be raised, as they have been six times since 1966.

If policymakers are going to deliver the over \$250 billion in Medicare savings contemplated by the congressional budget resolution for the next 7 years or to generate the \$165 billion needed through 2002 to restore the HI Trust Fund to financial adequacy for the next decade, they will not be able to pick and choose among these measures. Virtually all will be needed. Both providers and beneficiaries will feel the effects.

Even these savings will not be enough to withstand the fiscal tsunami unleashed by the retirement of the baby boom generation. For that, Medicare will have to undergo fundamental structural reform. The most promising such structural change is a gradual transformation of Medicare from a single-payer, fee-reimbursement system with price controls into one in which participants are given a choice of cost-effective managed care plans offered in a competitive, but managed, marketplace. Creating such a framework, however, is difficult.

New institutions and administrative capabilities will have to be developed. Mechanisms to adjust payments to plans for differences in the health risks of their members will have to be formulated. Tough political decisions will have to be made about the size of the voucher Medicare would provide participants to purchase their managed care coverage and the premiums to impose on those left in the more traditional coverage system either because no managed care plan was available in their area or because they strongly preferred to stay in a fee-for-service system.

Making such structural reforms will be time-consuming, and the size of the long-run savings that they could generate is highly uncertain. It would therefore be unrealistic to expect restructuring to contribute much to the effort to balance the budget by 2002. Still, the sooner we begin to make these unavoidable changes, the less disruptive they will be.

Ironically, structural reforms of this sort involve creating for the elderly and disabled a health care system much like the one the comprehensive health reform proposals of 1994 envisioned for the nonelderly population. Those proposals assiduously avoided changing the structure of Medicare for fear of a political backlash from the elderly. The fiscal imperative facing the Medicare program today will have to stiffen the resolve of politicians.

Medicare has been left behind by the revolution that is transforming the U.S. health plan market. The time has come for Medicare to begin changing into a system more closely resembling that evolving for non-Medicare Americans. In the process, Medicare could lead the nation as it struggles to develop a new, more efficient and cost-effective health care structure. ■

Robert D. Reischauer, formerly director of the Congressional Budget Office, is a senior fellow in the Brookings Economic Studies program.

Time for a Post-Mortem on Bosnia?

BY SUSAN L. WOODWARD

It is said that Archduke Franz Ferdinand was repeatedly warned not to go to Sarajevo in June 1914. He refused to listen. Today's Bosnian conflict gives an eerie symmetry to the 20th century in the West. The United States appears to understand little of Balkan history or of the possible consequences of repeating previous great-power behavior in the Balkans.

The crisis of the UN operation in former Yugoslavia had already come to a head before the United States insisted on renewed NATO air strikes against the Bosnian Serbs late last May. The Croatian military campaign in early May to retake a UN Protected Area, defying its UN-monitored cease-fire agreement; the rising casualties of French soldiers from snipers and cross-fire; the increasing Bosnian Serb violations of the Sarajevo cease-fire agreement in response to the Bosnian government's spring military offensive; and parties' increased restrictions on UN freedom of movement had revealed the inability of peace-keeping troops to protect civilians and calm a conflict if one or more parties are bent on war and the international community will not enforce rules against a recognized state. UN Secretary-General Boutros-Ghali declared the UN operation untenable, arguing that it should either withdraw or reconfigure its troops and mandate.

Only days before the air strikes, however, the two largest troop contributors, France and Britain, had decided to stay. When the Bosnian Serbs reacted to the strikes by taking UN hostages, the U.S. administration demanded an even greater show of force against "Serb defiance" but faced a worse choice than before: accept a UN mandate narrowed to humanitarian delivery and monitoring cease-fires, under rules of consent and self-defense, or mount its own coalition to replace the UN force and

defeat the Serbs. The crisis even provided cover for Britain and France to act unilaterally, rather than waiting for a Security Council resolution, to strengthen their means of protecting troops by sending thousands more soldiers, artillery, and a rapid reaction force for self-defense. This then pushed the United States for the first time, arguing that the NATO alliance was at stake, to entertain sending U.S. ground troops to support their redeployment.

Nevertheless, the policy debate has remained unchanged since the UN forces were first deployed to Bosnia in mid-1992. The U.S. position remains that the UN forces should restore their "credibility" by using more force against the Bosnian Serbs. It still insists that diplomatic negotiations would succeed if they were backed by a credible threat. And Congress continues to view a solution in lifting the arms embargo, forcing a withdrawal of UN forces, and aiding the Bosnian government against Bosnian Serbs with arms deliveries, training, and NATO air strikes. In either version, the only route to peace is military advantage, even if the price is many more civilian deaths and ethnic cleansing.

The French and British position is that peacekeeping and peace enforcement are not the same; a force configured for promoting peace cannot become a force to impose escalation. The UN operation became untenable in mid-1994 when it was tasked to implement U.S. policy: to shift the military balance in favor of the Bosnian government and to force the Bosnian Serbs with diplomatic isolation, economic sanctions, and bombing threats to accept the Contact Group peace plan. This policy was directly in conflict with the source of the peacekeepers' credibility—impartiality—and with their pri-

mary mission to reduce civilian casualties and keep the war from escalating while political negotiations proceeded.

But the focus on the UN's use of force ignores what is necessary to end the war: political arrangements to reassure all three communities of Bosnia-Herzegovina that they can, after all, live together, or international concession to their separation. The debate on forcefulness neglects the real issue of the UN crisis: the political disagreements among the major external players about the conflict and about the European security regime that is being redefined by the Bosnian war (and is necessary to its conclusion). Sent originally to prevent more refugees flowing into Europe and to appear to be doing something to stop the atrocities, the UN operation enabled the major powers to avoid confronting these conflicts.

Historical illiteracy has generated many wild ideas about the Balkans—that its peoples have a long history of ethnic animosity, that they are historically inclined to warfare and fragmentation, that the Russians are historical friends of the Serbs. Most fantastic, perhaps, is the concept of the Balkans as the tinderbox of world wars. In reality, local quarrels have attracted intervention, for reasons having little to do with local players, and the tinderbox they are able to ignite is conflict among the major powers. While thus far the Contact Group, NATO, and the UN Security Council have provided forums to contain their disagreements and conflicts of interest, the resulting absence of policy toward the conflict and the region have also produced four years of needless war and manufactured crises of credibility for those international organizations that they may not outlive. Is it perhaps time to do a post-mortem on policy toward the nations of former Yugoslavia before a post-mortem will be necessary on Bosnia? ■



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Guns, the Commerce Clause, and the Court

BY ROBERT A. KATZMANN

If timing is often everything, the Supreme Court majority in *United States v. Lopez* might wish that its decision had been announced some other day. A week after the Oklahoma City bombing, with public concern about violent crime mounting, the High Court, by a vote of 5–4, declared that Congress had exceeded its commerce clause authority by enacting the Gun-Free Zones Act of 1990 prohibiting the possession of guns within 1,000 feet of a school. Reaction to *Lopez* was swift and intense because it unleashed passions about two highly charged issues—crime and the far-reaching power of the federal government to regulate through the commerce clause.

President Clinton warned that the Court's ruling "could condemn more of our children to going to schools where there are guns." Others, citing the more than 40 states that have outlawed guns in schools, wondered whether Congress should have passed the law in the first place. Ultimately, however, ways will surely be found to enact federal legislation that survives Supreme Court review.

Beyond the debate about the role of the federal government in crime prevention and the merits of federalizing crime, the Court's decision raises important questions about the scope of Congress's regulatory powers. The Court's ruling, striking down for the first time in 60 years a federal regulation of private activity, casts a shadow over what had been taken for granted—the power of Congress to regulate all manner of activity through the commerce clause.

Writing for the majority, Chief Justice William Rehnquist declared that "we start with first principles," that the Constitution created a federal government of limited and enumerated powers. In distinguishing major precedents sus-

taining congressional regulation of economic activity, the Court concluded that some activities are too removed from interstate commerce to be upheld under the commerce clause. The 1990 law, the majority determined, was not related to interstate commerce, and in any case, Congress did not attempt to show that the activity affected commerce. Chief Justice Rehnquist further asserted that were the Court "to accept the Government's argument [that Congress could regulate all activities that might lead to violent crime], we are hard-pressed to posit any activity by an individual that Congress is without power to regulate."

Justice Stephen Breyer's dissenting opinion, joined by Justices Ruth Bader Ginsburg, David Souter, and John Paul Stevens, maintained that the Court "must ask whether Congress could have had a rational basis for finding a significant (or substantial) connection between gun-related school violence and interstate commerce." With a tour de force review of the literature (including a wide range of social science research), Justice Breyer concluded that the gun problem significantly undermines the quality of education that is critical to economic prosperity, that guns threaten the commerce to which teaching and learning are inextricably linked.

Champions of judicial restraint and adherence to precedent cannot fail to take note of *Lopez*. Deferring to rationally based legislative judgments, as Justice Souter observed, is a paradigm of judicial restraint. A possible consequence of *Lopez* is that such deference will be supplanted by a more active judicial presence as the court distinguishes between commercial and noncommercial transactions that have "substantial effect" on commerce. For the Republican Congress, there must be a

special irony in a judicial decision, written by Chief Justice Rehnquist, portending greater scrutiny of its legislation. Although the congressional leadership speaks of its respect for state prerogatives, federalization is the trend in such areas as criminal and tort law. The decision is also likely to create uncertainty in an area that seemed for the most part settled. We can, for example, expect challenges to environmental laws based on this new reading of the commerce clause.

It is premature to gauge the full impact of *Lopez*. There does not seem to be a majority to support a radical change in the interpretation of the commerce clause. Apart from the four dissenters, at least two in the majority do not appear ready to sign on to a wholesale change. In his concurring opinion, joined by Justice O'Connor, Justice Kennedy wrote that "stare decisis operates with great force in counseling us not to call in question the essential principles now in place." Unless and until a Republican president replaces a couple of moderate justices with ideological conservatives, we are not likely to see a direct assault on the commerce clause. In any event, a prudent Congress would be well advised to make express findings as to the effects of its legislation on interstate commerce. ■



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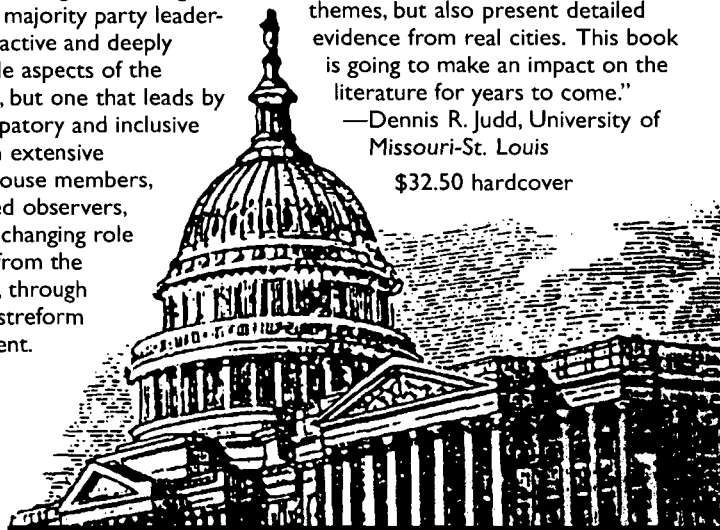
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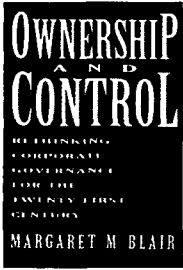
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